

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62521 of 2018

Arising Out of PS.Case No. -257 Year- 2018 Thana -AMARPUR District- BANKA

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1. Baso Devi, wife of Nakul Prasad Singh @ Nakul Mandal.
 2. Kaili Devi, Wife of Hari Paswan.
 3. Hari Paswan, son of Ishwari Paswan, All Residents of Village- Kulharia, P.S. Amarpur, District Banka.

.... Petitioners

Versus

1. The State of Bihar.
2. Rubi Devi, wife of Prakash Singh, Resident of Village- Kulharia, P.S. Amarpur, District Banka.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Shree Niwas Singh, Advocate.
For the State : Smt. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 498(A) of the IPC and ¾ of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 2 and 3 have got no criminal antecedent. There is no allegation of tampering with the witnesses



alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is mother-in-law of the victim and petitioner nos. 2 and 3 are mother-in-law and father-in-law of Resham Devi, who has illicit relation with the husband of the victim. They are separate in mess and property from the husband of the victim and Resham Devi. The informant and her family members are in habit of instituting similar cases against the petitioner no. 1 who is mother-in-law of the victim. The case is triable by the Magistrate. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Banka, in connection with Amarpur P.S. Case No. 257/2018, G.R. No.



1620/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

