

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64458 of 2018

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1. Vijay Choudhary, Son of Late Moti Choudhary,
 2. Sobha Devi, Wife of Vijay Choudhary, Both residence of MIG Sector Kankarbagh, Patna, Sector-7, Block- 4, Flat No.38, Bhoot Nath Road, Patna, Police Station- Agam Kuan, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Nirmala Devi, Wife of Mukesh Kumar, Daughter of Sri Sagar Mahtha, Both residence of MIG Sector Kankarbagh, Patna, Sector-7, Block- 4, Flat No.38, Bhoot Nath Road, Patna, Police Station- Agam Kuan, District- Patna. at present residing at Mohalla- Rajendra Nagar, Police Station- Nawada, District- Nawada.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Anil Kumar Singh, Advocate.

For the State : Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A), 379, 406, 147, 149 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 petitioners 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 petitioners are in-laws of the victim. They are separate in mess and property from the husband 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 S.D.J.M. Nawada, in connection with Complaint Case No. 884 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

