

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38401 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -BIND District- NALANDA (BIHARSHARIFF)

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1. Surendra Kewat, Son of Late Indradeo Kewat,
 2. Lala Kewat, Son of Late Indradeo Kewat,
 3. Zeera Devi, Wife of Late Indradeo Kewat,
 4. Shanti Devi @ Guria Devi, Wife of Lala Kewat, All are resident of Village- Jakhaur, Police Station- Bind, District- Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rabindra Prasad Singh, Advocate.

For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-09-2018 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), 365/34 of the IPC and 3/4 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. As per



161 Cr. P.C. statement of the victim, it is apparent that no offence under Section 365 IPC is made out. The case is triable by the Magistrate. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. 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 A.C.J.M. IVth, Nalanda at Biharsharif, in connection with Bind P.S. Case No. 20 of 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)