

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2598 of 2018

Arising Out of PS.Case No. -545 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Ganga Sagar Tiwary,
 2. Radhe Shyam Tiwary, Both sons of Late Ram Nagina Tiwary,
 3. Chandra Shekhar Tiwary, son of Ganga Sagar Tiwary,
 4. Pramila Devi, wife of Chandra Shekhar Tiwary, All residents of Village- Majhari, P.S.- Mohaniya, District- Kaimur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kanhaiya Pandey, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2018 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 498(A), 494, 323, 307,
504, 506 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-
fulfillment 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. There is no medical examination report of the victim to constitute an offence under Section 307 of the IPC. 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 counsels for the State and opposite party no. 2, 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. Kaimur at Bhabua, in connection with Mohaniya P.S. Case No. 545 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)

