

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16929 of 2018

Arising Out of PS. Case No.-326 Year-2015 Thana- LAKHISARAI District- Lakhisarai

-
-
1. Kalwa Devi Wife of Kapil Paswan
 2. Manish Paswan
 3. Sintu Paswan Both Sons of Kapil Paswan @ Kapildeo Paswan
All residents of Village - Sungathia, Police Station - Dharhara,
District Munger. Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Kumari Wife of Sunil Paswan, daughter of Lakhan Paswan Mohalla -
Chhoti Kabaiya, P.S. Kabaiya, Ward No. 32, District - Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. ARIF

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 341, 394(A), 498A, 307/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in-laws. Petitioner no. 1 is mother-in-law and petitioner nos. 2 and 3 are deवर of the



victim. They have falsely been implicated in the present case due to petty family dispute. There is no medical report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. Rest of the offences are triable by the Magistrate. The petitioners have 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 State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned S.D.J.M., Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 326/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

