

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15356 of 2018

Arising Out of PS.Case No. -397 Year- 2017 Thana -KHAIRA District- JAMUI

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1. Suresh Ram, son of Daya Ram.
 2. Naresh Ram, son of Daya Ram.
 3. Hari Devi, wife of Suresh Ram.
 4. Bindu Devi, wife of Naresh Ram. All are Residents of Village-Gopalpur, P.S. Khaira, District Jamui.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Sinha, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-03-2018 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no. 1 Suresh Ram and petitioner no. 2 Naresh Ram in connection with Khaira P.S. Case No. 397 of 2017, pending in the court of learned C.J.M. Jamui.

Permission is accorded.

The anticipatory bail application on behalf of petitioner no. 1 Suresh Ram and petitioner no. 2 Naresh Ram is dismissed as withdrawn.

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 341, 323, 324, 307, 498(A), 506, 504/34 of the IPC and $\frac{3}{4}$ 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 falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are ladies. The petitioner no. 3 is married *Nanad* and petitioner no. 4 is sister-in-law (*Gotani*) of the victim. They are separate in mess and property from the husband of the victim. No specific overt act has been alleged against the petitioners. 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 petitioner no. 3 Hari Devi and petitioner no. 4 Bindu Devi



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. Jamui, in connection with Khaira P.S. Case No. 397 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)

