

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11862 of 2018

Arising Out of PS.Case No. -569 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Suresh Prasad, S/o Late Jagdish Prasad,
 2. Nirmala Devi, W/o Suresh Prasad
 3. Niraj Kumar Soni @ Niraj Kumar, S/o Suresh Prasad,
 4. Sweety Devi, W/o Niraj Kumar. All Residents of Village- Hakikatpur,
P.S.- Bakhtiyarpur, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Kanchan Devi, W/o Suraj Kumar Soni, R/o Hakikatpur, P.S.-
Bakhtiyarpur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Gajanan Mishra, Advocate.

For the State : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 05-03-2018 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), 323, 307 and
406 of the IPC.

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 in-laws of the victim. They are separate in mess and property from the husband of the victim. The victim is in habit of filing of cases under the similar offence on earlier occasion also. 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 J.M. Ist Class, Barh, Patna, in connection with Complaint Case No. 569C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)