

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12685 of 2018

Arising Out of PS. Case No.-232 Year-2017 Thana- LAURIYA District- West Champaran

1. Jhooman Sah son of late Surendra Sah
2. Munni Devi wife of Bagar Sah
3. Madhu Devi wife of Jhooman Sah
4. Shiv Kumari Devi wife of Hanhaku Sah, all are residents of village Sitapur,
Police Station Lauriya, District West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. RAJEEV NAYAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 308, 406, 494, 498A, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault 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 have falsely been implicated in the present case due to petty family dispute. There is no injury



report to support the allegations in respect of an offence under Section 308 of the I.P.C. Rest of the offences are triable by the Magistrate. The matter has already been settled between the parties and the informant is residing with the petitioner No.1. 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 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 Additional Chief Judicial Magistrate, Bettiah 1st, District West Champaran in connection with Lauriya P.S. case No.232 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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