

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25807 of 2018

Arising Out of PS. Case No.-625 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Bhabhua (Kaimur)

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1. Raju Kharwar Son of Banwari Kharwar
 2. Banwari Kharwar Son of late Chirkut Kharwar
 3. Radhika Devi Amar Bind Wife of Banwari Kharwar all resident of Village Murli, P.S. chainpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Durga Devi Wife of Raju Kharwar, D/o Sahdev Kharwar R/o Village Muri, P.S. Chainpur, District Kaimur at Bhahua, at Present R/o Village Dubey Ke Saraiya, P.S. Chainpur, District Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code.

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 husband, father-in-law and



mother-in-law respectively of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is 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 A.C.J.M. II, Kaimur at Bhabua in connection with Bhabua Complaint Case No. 625/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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