

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26957 of 2018

Arising Out of PS. Case No.-2435 Year-2016 Thana- SARAN COMPLAINT CASE District-
Saran

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1. Ajay Singh son of Late Gautam Singh
 2. Shanti Devi Wife of Late Gautam Singh
 3. Sabita Devi wife of Ajay Singh All residents of village - Bangara, P.S. Daudpur, District - Saran at Chapra, presently residing at 52, Sanatan Mistri, Lane Uriyapara, 2nd Floor, P.O. Salkiya, P.S. Golawari, District Hawarah (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi wife of Abhay Singh and daughter of Ram Narayan Singh presently residing at village - Masoomganj, P.S. Bhagwan Bazar, District Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2018 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, 498A of the Indian Penal Code, but cognizance has been taken under Section 498A of the I.P.C. and 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 have falsely been implicated in the present case. 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.

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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Trial No.2691 of 2017 arising out of Complaint case No.2435 of 2016, 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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