

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.70717 of 2018**

Arising Out of PS. Case No.-141 Year-2017 Thana- AMAUR District- Purnia

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1. Jitu Karmkar, Son of Lalchua Karmkar
  2. Pramila Devi, Wife of Jitu Karmkar,  
Both Resident of Village- Pahariya, P.S.- Amour, District-  
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      18-12-2018                      Heard learned Counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 498A and 307/34 of the Indian Penal Code.

The prosecution case as per the written report of Sanjeet Kumar submitted to the SHO, Amour Police Station is to the effect that the sister of the informant was married with co-accused, Lalu Karmkar eight months prior to the lodging of the present case. It is alleged that two months before lodging of the present case the husband of the sister of the informant Lalu Karmkar tried to drown her sister in the flood, but any how she managed to save herself. On 07.10.2017 in the night the husband of the sister of the informant caused injury to the



private parts of her sister with blade, due to which she became unconscious. It is further alleged that accused persons, including the petitioners, demanded Rs.1,00,000/- as further dowry demand and due to non-fulfillment of the same, torture was inflicted upon her. On 13.10.2017 the informant went to the house of her sister where he found his sister in an unconscious condition thereafter he took her to the Amour Referral Hospital from where the doctor referred his sister to Sadar Hospital, Purnea.

It is submitted by learned counsel for the petitioners that the specific accusation of causing injury is against the husband of the informant's sister Lalu Karmkar, who has been granted regular bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 50267 of 2018. It is further submitted that on conclusion of investigation, the petitioners were not sent up for trial, but differing with the final form, process has been directed to be issued against them after cognizance being taken. However, the informant has retracted from the initial version. and further he has not been sent up for trial. It is further submitted that the nature of injuries caused are simple in nature. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.



It is submitted by learned APP for the State that the process have been directed to be issued against the petitioners after cognizance being taken and they are named in the FIR.

Considering the fact that the thrust of accusation is against the co-accused, Lalu Karmkar, who has been granted regular bail by a co-ordinate Bench of this Court, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea, in connection with Amour P.S. Case No. 141 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/Rahul/-

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