

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10607 of 2018

Arising Out of PS. Case No.-119 Year-2017 Thana- NAWADA District- Nawada

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1. Raj Kumar Poddar Son of late Dhanik Lal Poddar
 2. Nandani Poddar @ Nandana Poddar Wife of Raj Kumar Poddar
 3. Ruhi Kumari @ Sweta Raj Daughter of Raj Kumar Poddar
 4. Hemant Poddar @ Suraj Kumar Son of Ram Lochan Poddar
 5. Lochan Poddar @ Ram Lochan Poddar Son of late Dhanik Lal Poddar All are resident of Pankaj Market Road, Muzaffarpur, Police Station - Muzaffarpur town in the district of Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498, 498A, 365, 504, 506/34 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 have falsely been implicated in the present case. From perusal of paragraph nos.22 and 34 of the



case diary, it is evident that no offence under Section 365 of the I.P.C. is made out. The victim girl herself had eloped with one Rahul Jha after the marriage with son of petitioner No.1. Hence the allegation in respect to Section 365 I.P.C. is superficial in nature. The case is triable by the Magistrate. The petitioners has 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. case No.119 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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