

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.444 of 2018

Arising Out of PS.Case No. -254 Year- 2017 Thana -MADANPURA District- AURANGABAD
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1. Shankar Paswan, Son of Somaru Paswan.
2. Radhika Devi, W/o Shankar Paswan.
3. Surendra Paswan, S/o Shankar Paswan. All are residents of Village- Manika, P.S.- Madanpur, District- Aurangabad (Bihar).

.... Petitioners

Versus

1. The State of Bihar.
2. Kajal Devi, D/o Badan Paswan, resident of Village- Baluganj, P.S. Rafiganj, District- Aurangabad (Bihar).

.... Opposite Parties
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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case instituted under Section 498A of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of the 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 are in-laws of the victim. They are separate in mess and property from the husband of the victim. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Madanpur P.S. Case No.254 of 2017 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad (Bihar), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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