

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2675 of 2018**

Arising Out of PS.Case No. -2 Year- 2017 Thana -NAUHATTA District- SAHARSA

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1. Samar Paswan, Son of Swarup Paswan,  
2. Lalita Devi, Wife of Samar Paswan, resident of village Sattaur, P.O.  
Narayanpur, P.S. Nauhatta, District- Saharsa.

.... .... Petitioners

Versus

1. The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-01-2018                      Heard learned counsel for the petitioners and learned  
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case  
instituted under Sections 323, 324, 379, 498A, 504, 506/34 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 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 Nauhatta P.S. Case No.02/2017 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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