

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1303 of 2018

Arising Out of PS. Case No.-138 Year-2017 Thana- RAGHUNATHPUR District- Siwan

1. Madan Baitha Son of Late Indrasan Baitha
2. Raj Muni Devi Wife of Madan Baitha
3. Ravi Kumar Son of Ramanand Baitha All residents of Village & P.O. Panjwar P.S. Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md. Shahid Akhtar, Advocate Mr. Rafi Ahmad, Advocate
For the State	:	Mr. Bal Mukund Prasad Sinha, APP
For Informant	:	Mr. Prashant Kumar, Advocate Mr. Animesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-04-2018 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 323, 313, 328, 307, 498A, 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture and assault 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. There is no medical examination report in support of the allegations made in respect of offence under Sections 313, 328 and 307 of the I.P.C. Rest of the offences are 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 and learned counsel for the informant, 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Siwan in connection with Raghunathpur P.S. case No.138 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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