

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43149 of 2018

Arising Out of PS. Case No.-1357 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Lal Bihari Pandit @ Lal Bihar Pandit, Son of Bhola Pandit,
 2. Chandrawati Devi, Wife of Lal Bihari Pandit, Both are resident of Village- Lalbegi (Kai Tola), Police Station- Kuchaikot, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asha Devi, Wife of Dipu Pandit, Both are resident of Village- Lalbegi (Kai Tola), Police Station- Kuchaikot, District- Gopalganj. at present Daughter of Jagdish Pandit, Resident of Village- Belwa Mathiya, P.S.- Kuchaikote, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan
For the Opposite Party/s : Mr. Sri Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 406 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in which cognizance has been taken under section 498A IPC.

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 are in-laws. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners have 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 Complaint Case/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 A.C.J.M. VII, Gopalganj in connection with Complaint Case No. 1357 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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