

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63739 of 2017

Arising Out of PS. Case No.-67 Year-2017 Thana- MAHILA P.S. District- Bhagalpur

1. Vijay Kumar son of Kamleshwari Pd. Das @ Kamleshwari Prasad
2. Vimli Devi @ Vimla Devi wife of Kamleshwari Pd. Das @ Kamleshwari Prasad
3. Kamleshwari Prasad @ Kamleshwari Pd. Ds son of late Paddu Das
4. Ajay Kumar Das son of Kamleshwari Pd. Das @ Kamleshwari Prasad
5. Rinku Devi daughter of Kamleshwari Pd. Das @ Kamleshwari Prasad, all residents of Mohalla Purani Sarai, Police Station Madhusudanpur (Nathnagar), District Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2 Chhaya Kumari wife of Vijay Kumar and daughter of Ram Karan Das, resident of Mohalla Purani Sarai, Police Station Madhusudanpur (Nathnagar), District Bhagalpur, presently residing at Mohalla Gangadhar Banarjee Lane, Mundichak, Police Station Tilkamanjhi, District Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Syed Masleh-uddin Ashraf, Advocate
For the State : Mr. SANJAY KUMAR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 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, 341, 323, 307, 504, 506/34 of the Indian Penal Code.

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 report to support the allegations made in respect of an offence under Section 307 of the I.P.C. 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 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., Bhagalpur in connection with Bhagalpur Mahila P.S. case No.67 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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