

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16688 of 2018

Arising Out of PS.Case No. -1248 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Kauleshwar Bhagat @ Kaleshwar Mali, Son of Indru Mali,
 2. Bachwa Devi @ Devanti Devi, Wife of Kauleshwar Bhagat @ Kaleshwar Mali.
 3. Sujit Kumar @ Sujit Kr. Suman.
 4. Sumit Kumar @ Sumit Kumar Suman. Both 3 and 4 are sons of Kauleshwar Bhagat @ Kaleshwar Mali.
 5. Kajal Kumari, Daughter of Kauleshwar Bhagat @ Kaleshwar Mali. All are resident of Mohalla- Uppar Hatiya, Near Shiv Mandir Mali Tola Police Station- Jagannathpur District- Ranchi, State Jharkhand.

.... Petitioners

Versus

1. The State of Bihar.
2. Archana Kumari, Wife of late Amit Suman, Daughter of Vijay Kumar Malakar @ Bijay Kumar Malakar, presently residing at Mohalla- Diwan Mohalla, Police Station- Khajekalan, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ravi Shanker Pankaj, Advocate.
For the State : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A), 341, 323 of the IPC and ¾ of the D.P. Act..

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-



fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned S.D.J.M., Patna City, Patna, in connection with Complaint Case No. 1248C of



2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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