

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23892 of 2018

Arising Out of PS. Case No.-363 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Raj Muniya Devi Wife of Sri Barat Saw Resident of Village-
Tetua, P.S. Tekari, District- Gaya.
2. Yugal Saw Son of late Nand Sewak Saw Resident of Village-
Mau, P.S.- Tekari, District- Gaya. Petitioner/s

Versus

1. The State of Bihar.
2. Pammi Devi D/o Sanjeet Saw, W/o Dulesh Saw Resident of Village- Tetua,
P.S. Tekari, District- Gaya. At Present Resident of Village- Tapa, P.S. Tekari,
District- Gaya. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha
For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
instituted under sections 498A, 313, 323, 504 of the Indian
Penal Code in which cognizance has been taken under sections
498A and 312 of the Indian Penal Code.

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. There is no medical report in support of allegations made for offence under section 312 IPC. 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 Sri R.R. Singh, Judicial Magistrate, 1st Class, Gaya in connection with Complaint Case No. 363/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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