

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3563 of 2018

Arising Out of PS.Case No. -1237 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Sumitra Devi, wife of Satya Narayan Singh @ Satya Narayan Prasad @ Satya Narayan Prasad Singh.
 2. Satya Narayan Singh @ Satya Narayan Prasad @ Satya Narayan Prasad Singh, son of Late Govind Singh @ Govind Prasad Singh @ Govind Prasad.
 3. Pritam Kumar, son of Satya Narayan Singh @ Satya Narayan Prasad @ Satya Narayan Prasad Singh. All residents of Village- Kahalgaon Tola, P.S. Pirpanti, District- Bhagalpur, presently residing at Mayur Bihar Colony, Shyam Nagar, Khajpura, P.S. Rajiv Nagar, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Sapna Kashyap, wife of Amit Kumar, d/o Mahendra Prasad Singh, resident of Village- Tapua, P.S. Pirpanti, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Praveen Kumar, Advocate.
For the State : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-02-2018 This case has been listed under the heading 'To Be
Mentioned' at the instance of learned counsel for the petitioners.

Learned counsel for the petitioners submits that there is
typing error in the order dated 18.01.2018 passed in Cr. Misc. No.
3563 of 2018.

Perused the High Court File as well as Web
Copy/Uploaded Copy/Transmitted Copy of the said case.

Apparently, there is no error in the order dated



18.01.2018 attached with High Court File. But in the Web Copy/Uploaded Copy/Transmitted Copy of the said case, there is error due to technical reason. In the High Court file, the order dated 18.01.2018 passed in Cr. Misc. No. 3563 of 2018 is of three pages whereas in Web Copy/Uploaded Copy/Transmitted Copy, the order dated 18.01.2018 passed in Cr. Misc. No. 3563 of 2018 is of four pages.

Hence, the entire order dated 18.01.2018 passed in Cr. Misc. No. 3563 of 2018 is recasted/retyped here so that error occurred due to technical reason, can be rectified.

“2. 18.01.2018. 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 323, 498(A) of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfillment 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. Bhagalpur, in connection with Complaint Case No. 1237 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure”.

So far period of surrender is concerned, from today petitioners are granted further four weeks time to surrender and furnish bail bond in connection with Complaint Case No. 1237 of



2016, pending in the court of learned S.D.J.M. Bhagalpur.

The order dated 18.01.2018 is modified to the extent
as indicated above.

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(Sudhir Singh, J)

