

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63097 of 2017

Arising Out of P.S.Case No. -39 Year- 2017 Thana -KARPI District- JEHANABAD

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1. Chandeshwar Das S/o Late Dhanraj Das.
2. Urmila Devi W/o Chandeshwar Das Both are Resident of village- Gulzar Bigha, P.S.- Karpi, District- Arwal.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no. 1, Chandeshwar Das as he has been arrested.

Permission is accorded.

The anticipatory bail application on behalf of petitioner no. 1, Chandeshwar Das is dismissed as withdrawn in connection with Karpi P.S. Case No. 39 of 2017, pending in the court of learned C.J.M. Arwal.

Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

The petitioner is apprehending her arrest in a case for the offence registered under Sections 341, 323, 498(A) and 504/34



of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner no. 2 is the mother-in-law of the victim. She is separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioner has 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 petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner no. 2 Urmila Devi 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 C.J.M. Arwal, in connection with Karpi P.S. Case No. 39 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

