

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2318 of 2018

Arising Out of PS. Case No.-1191 Year-2014 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Hari Shambhu Prasad Jaiswal @ Hari Shambhu Prasad son of late Ram Baran Sah
2. Kaushalaya Devi wife of Hari Shambhu Prasad Jaiswal
3. Sushma Kumari @ Sushma Devi daughter of Hari Shambhu Prasad Jaiswal
4. Jyoti Devi @ Muttori Devi wife of Prashan Deep Jaiswal @ Prashanjeet Jaiswal
5. Prashan Jeet Jaiswal @ Prashandeep Jaiswal @ Prashanjeet son of Hari Shambhu Prasad Jaiswal
6. Ravi Kumar @ Ghullu Jaiswal, son of Hari Shambhu Prasad Jaiswal, all resident of New Colony Ward No.24 Bagaha Bazar, Police Station Bagaha, District West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sany Kumari Devi daughter of Azad Hind Prasad, wife of Pawan Kumar Jaiswal, resident of New Colony, Ward No.24, Bagaha Bazar, P.S. Bagaha, District West Champaran, present address at village Gandhi Nagar, Ward No.17, P.S. Bagha, District West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma
For the Opposite Party/s : Mr. SRI LALAN KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A 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 have falsely been implicated in the present case. 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.

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 1st Additional Sessions Judge, Bagaha, West Champaran in connection with Complaint case No.1191 of 2014, T.R. No.2364 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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