

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70793 of 2018

Arising Out of PS. Case No.-1444 Year-2000 Thana- VAISALI COMPLAINT CASE
District- Vaishali

1. Anita Kumari, Daughter of Sone Lal Mahto,
2. Sanjay Kumar, Son of Sone Lal Mahto,
3. Tinka Kumar, Son of Sone Lal Mahto,
4. Kali Charan, Son of Sone Lal Mahto, All resident of Village-
Hasanpur Surat, P.S.- Patory, Dist- Samastipur.

... .. Petitioners

Versus

1. The State of Bihar.
2. Sugia Devi, D/o Sukhari Matho, R/v- Badolia, P.S.- Jandaha, Dist- Vaishali.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Sabal Kumar Jha, Advocate.
For the State	:	Mr. Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2018 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) and 406 of the IPC in which cognizance has been taken under Section 498(A) of the IPC.

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 petitioner no. 1 is married *Nanad* and petitioner nos. 2 to 4 are *Dewars* 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. , Vaishali at Hajipur, in connection with Hajipur Complaint Case No. 1444/2000, 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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