

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5227 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- MAHILA PS District- Rohtas

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1. Amresh Tiwari aged 35 years, male, son of Bharat Tiwari
 2. Bharat Tiwari age 60 years, male, son of late Bihar Tiwari
 3. Rani Devi age 60 years, female, wife of Bharat Tiwari, all Resident of Village - Yogiyan, P.s.- Dinara, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Devi daughter of Ramesh Rai, Village-Gogaura, P.S – Dhasoin, Dist Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Birendra Kumar Singh, Advocate
For the State	:	Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 504, 506, 406, 498A/34 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 there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. On the earlier occasion, the victim had instituted a case for similar offence against the petitioners and other family



members. 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 and learned counsel for the opposite party No.2, 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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Buxar in connection with Buxar P.S. case No.76 of 2018, 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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