

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17973 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Madhubani

1. REMANI DEVI W/o Jagdish Chaupal Resident of Village-Rampura, P.S-Bheja, District-Madhubani.
2. Jagdish Chaupal S/o Late Jholan Chaupal Resident of Village-Rampura, P.S-Bheja, District-Madhubani.
3. Sate Chaupal @ Sato Chaupal S/o Jagdish Chaupal Resident of Village-Rampura, P.S-Bheja, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 323, 341, 498(A), 494/34 of the Indian
Penal Code and ¾ of Dowry Prohibition Act.

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 are in-laws of the victim. They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. They are separate in mess and property from the husband of the victim. The petitioner no. 1 is a lady. 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/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned S.D.J.M., Madhubani in connection with Madhubani Mahila P.S. Case No. 40/2019, corresponding to C.R.I. No. 869 of 2019, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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