

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34831 of 2021**

Arising Out of PS. Case No.-119 Year-2019 Thana- THawe District- Gopalganj

1. VINAY KUMAR CHOUBEY @ VINAY CHOUBEY Son of Narad Choubey Resident of Village - Pyarepur, P.S. - Thawe, District - Gopalganj.
2. Manisha Devi @ Manisha Wife of Vinay Kumar Choubey Resident of Village - Pyarepur, P.S. - Thawe, District - Gopalganj.
3. Vijay Kumar Choubey Son of Narad Choubey Resident of Village - Pyarepur, P.S. - Thawe, District - Gopalganj.
4. Punam Devi Wife of Vijay Kumar Choubey Resident of Village - Pyarepur, P.S. - Thawe, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5, Advocate  
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      05-08-2021                      Heard learned counsel for the petitioners and learned  
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in connection with Thawe P.S. case No.119/2019 (G.R. No.2276/2019) registered under Sections 341, 323, 498A and 34 of the Indian Penal Code and  $\frac{3}{4}$  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 have falsely been implicated in the present case. The petitioner No.1 is elder brother-in-law of the victim, petitioner No.2 is wife of petitioner No.1, petitioner No.3 is elder brother-in-law of the victim and petitioner No.4 is wife of petitioner No.3. 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/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 twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. case No.119/2019 (G.R. No.2276/2019), subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

**(Sudhir Singh, J)**

Narendra/-

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