

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49452 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

1. Umeshwar Singh S/O Late Deenanath Singh R/O Village-Badkagaon, P.S.-
Bhagwanpur Hatt, District- Siwan
2. Mala Devi W/O Umeshwar Singh R/O Village-Badkagaon, P.S.-
Bhagwanpur Hatt, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Bardhan Pandey

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove
the defects, as pointed out by the Office, within a period of four
weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 144, 147, 323, 325, 307, 406 and
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 petitioner no. 1 is father-in-law and petitioner no. 2 is mother-in-law of the victim. They have falsely been implicated in the present case due to petty family dispute. As far as offence under section 307 IPC is concerned, from perusal of medical report of the victim enclosed with the F.I.R., it appears that there is no external injury on the body of the victim. Hence, no offence under section 307 IPC is attracted in the present case. Rest of the offences are 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 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 twelve 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 Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hatt P.S.



Case No. 07 of 2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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