

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.844 of 2021

Arising Out of PS. Case No.-220 Year-2019 Thana- RAGHUNATHPUR District- Siwan

1. Chandan Choubey, (Male, aged about 38 years), Son of Sarwanth Choubey, Resident of Village - Nikhati Kala, P.O.- Nikhati, P.S.- Raghunathpur, Distt.- Siwan.
2. Anjali Choubey, (Female, aged about 32 years), W/o Chandan Choubey, Resident of Village - Nikhati Kala, P.O.- Nikhati, P.S.- Raghunathpur, Distt.- Siwan.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ranjan Kumar Dubey, Advocate.
For the Opposite Party : Mr. Arvind Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-06-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A), 354 and 313/34 of the I.P.C.

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. The petitioner no. 1 is the brother-in-law (Nandoshi) and petitioner no. 2 is the sister-in-law (Nanad) of the victim. Except for offence under Section 313 of the I.P.C., rests of the offences are triable by the Magistrate. There is no medical evidence on the record in support of offence under Section 313 of the I.P.C. 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 of the case, let 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 the learned C.J.M., Siwan, in connection with Raghunathpur P.S. Case No. 220 of



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 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each 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)

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