

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4213 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- AMARPUR District- Banka

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1. Ram Bilash Tanti, aged about 60 years (Male), Son of Late Bhagwan Tanti, Resident of Village - Amarpur, P.S.- Amarpur, Distt.- Banka.
 2. Shobha Devi, aged about 55 years (Female), W/o Ram Bilash Tanti, Resident of Village - Amarpur, P.S.- Amarpur, Distt.- Banka.

... .. Petitioners

Versus

1. The State of Bihar.
2. Smt. Kamani Devi, aged about 19 years, W/o Bhikhari Tanti, D/o Sri Company Tanti Resident of Village - Ghorpahiya, P.S.- Shakhund, Distt.- Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Advocate.
For the State : Mr. Nityanand Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-07-2021 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 341, 323, 498(A), 494, 504, 506/34 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.

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 father-in-law and petitioner no. 2 is the mother-in-law of the victim. The case is triable by the Magistrate. 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. Banka, in connection with Amarpur P.S. Case No. 234/2020, 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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