

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1879 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- MAHILA P.S. District- Patna

1. Hira Prasad @ Triloki Jaiswal @ Triloki Prasad, aged about 70 years (M), Son of Late Jaglal Prasad, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
2. Manju Devi @ Raj Kumari Devi @ Manju Jayswal, aged about 58 years (F), W/o Triloki Jaiswal, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
3. Abhishek Kumar Jaiswal @ Abhishek Kumar, aged about 32 years (M), Son of Triloki Jaiswal, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
4. Ankit Jaiswal @ Ankit Kumar, aged about 26 years (M), Son of Triloki Jaiswal, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
5. Surbhi Kumari, aged about 27 years (F), D/o Triloki Jaiswal, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
6. Kajal Kumari @ Sahlu Jaiswal, aged about 27 years (F), W/o Abhishek Kumar Jaiswal, Resident of Village - Naraipur, P.S.- Bagaha, Distt.- West Champaran.
7. Savita Kumari, aged about 29 years (F), D/o Triloki Prasad, W/o Praveen Kumar, Resident of Village - House No.38, Hanuman Gandhi Sahu Road Marwadi Tola, Bagaha, P.S.- Bagaha, Distt.- West Champaran.
8. Praveen Kumar, aged about 34 years (M), Son of Ramjee Prasad Jaiswal, Resident of Village - House No.38, Hanuman Gandhi Sahu Road Marwadi Tola Bagaha, P.S.- Bagaha, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sachida Nand Rai, Advocate.

For the Opposite Party : Mr. Nagendra Prasad, 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), 420, 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, petitioner no. 2 is the mother-in-law, petitioner no. 3 is the brother-in-law(Dewar), petitioner no. 4 is the brother-in-law (Dewar), petitioner no. 5 is the sister-in-law (Nanad), petitioner no. 6 is the sister-in-law (Gotani), petitioner no. 7 is the sister-in-law (married Nanad) and petitioner no. 8 is the brother-in-law (Nandoshi) 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 Judicial Magistrate-Ist Class, Patna, in connection with Mahila P.S. Case No. 93 of 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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