

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8377 of 2021

Arising Out of PS. Case No.-273 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. Rajendra Chaudhary, aged about 56 years (Male), S/O Late Thakur Prasad Chaudhary, R/O Muzaffarpur Town, Mohalla-Chandwara Sai Niwas, Kurwan Road, Near Maharaja Bibah Bhawan, P.S-Kaji Mohammadpur, District-Muzaffarpur.
 2. Munni Devi, aged about 55 years (Female), W/O Rajendra Chaudhary, R/O Muzaffarpur Town, Mohalla Chandwara, Sai Niwas, Kurwan Road, Near Maharaja Bibah Bhawan, P.S. Kaji Mohammadpur, District-Muzaffarpur.
 3. Shikhar Chaudhary @ Shikhar Kumar Chaudhary, aged about 28 years (Male), S/O Rajendra Chaudhary, R/O Muzaffarpur Town, Mohalla Chandwara, Sai Niwas, Kurwan Road, Near Maharaja Bibah Bhawan, P.S. Kaji Mohammadpur, District-Muzaffarpur, at present residing at Patna, Mohalla Yarpur (Gardanibagh), P.S.-New Jakkanpur, District-Patna.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Prabhas Ranjan, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 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 connection with Kaji Mohammadpur P.S. Case No. 273 of 2020 for the offence registered under Sections 341, 323, 504, 505, 506, 352, 498(A), 120(B) 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 and petitioner no. 3 is the brother-in-law (Dewar) 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 A.C.J.M.



Ist, Muzaffarpur, in connection with Kaji Mohammadpur P.S.
Case No. 273 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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