

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65950 of 2021

Arising Out of PS. Case No.-285 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. RAM PRAVESH RAM Son of late Sant Lal Ram Resident of Village - Yogiara @ Yogiara, P.S.- Jale, Distt.- Darbhanga.
 2. SURYA KALA DEVI W/o Ram Pravesh Ram Resident of Village - Yogiara @ Yogiara, P.S.- Jale, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sukhchain Devi W/o Chandan Ram, D/o Mahindra Ram Resident of Village - Yogiara @ Yogiara, P.S.- Jale, Distt.- Darbhanga. at present R/o Village - Belahiya, P.S.- Sursand, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case initially registered under Sections-498(A), 379, 307 of the Indian Penal Code and 4 of D.P. Act but later on, cognizance has been taken under Section-498(A)/34 of the Indian Penal Codem only.

Allegation against the petitioners is of committing torture



upon the victim due to non-fulfillment 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 petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner Nos. 1 & 2 are father-in-law and mother-in-law of the complainant/informant respectively. 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 Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. -C1-285 of 2017, Trial No.



2779 of 2019, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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