

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65942 of 2021

Arising Out of PS. Case No.-558 Year-2021 Thana- NAGAR District- Vaishali

1. SURAJ KUMAR @ SURAJ RAI S/o Shivnath Rai R/o- Jadua Chiknaura, P.S.- Hajipur Town, Distt.- Vaishali
2. Shivnath Rai S/o Late Ramji Rai R/o- Jadua Chiknaura, P.S.- Hajipur Town, Distt.- Vaishali
3. Pinki Kumari W/o Suraj Rai R/o- Jadua Chiknaura, P.S.- Hajipur Town, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mrs.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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 connection with Hajipur Town P.S. case No.558/2021 registered under Sections 498A, 341, 323, 324, 308, 379/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture and assault upon the victim due to non-fulfilment of



demand of dowry. Petitioner No.1 assaulted the informant by means of sword, due to which the informant sustained injury on his head.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner No.1 is brother-in-law, petitioner No.2 is father-in-law and petitioner No.3 is sister-in-law of the victim. There is no medical examination report in support of offence under Section 308 of I.P.C. Except for offence under Section 308 of I.P.C., rest of 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 facts and circumstances of the case, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of



the like amount each to the satisfaction of learned C.J.M.,
Vaishali, Hajipur in connection with Hajipur Town P.S. case
No.558/2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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