

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16088 of 2023

Arising Out of PS. Case No.-34 Year-2021 Thana- MAHILA PS District- Jehanabad

1. DEOMATI DEVI Wife of Raj Ballam Yadav @ Raj Ballam Singh R/v- Kalua Chak, P.S. and District- Jehanabad
2. RAJ BALLAM YADAV @ RAJ BALLAM SINGH Son of Etwar Yadav R/v- Kalua Chak, P.S. and District- Jehanabad
3. GYANTI DEVI @ GYANTI KUMARI Wife of Sudhir Kumar R/v- Timalpur, P.S.- Pali (Kako), District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2023 Heard learned counsels for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in connection with a case registered for the offence punishable under Sections 323, 494, 498(A) and some other ancillary Sections of the I.P.C. and u/s 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including these 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 falsely been implicated in the present case due to petty family dispute. The petitioners are



the in-laws of the victim and they are separate from the victim and her husband in mess and property. There is no allegation of tampering with the witnesses alleged against the petitioners. 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*. Petitioners have got clean antecedent.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Jehanabad in connection with Mahila PS case No. 34/ 2021, subject to conditions laid down u/s 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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