

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51501 of 2014

Arising Out of PS.Case No. -1467 Year- 2009 Thana -SARAN COMPLAINT CASE District- SARAN

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1. Basant Dubey @ Basant Kumar Dubey Son of Dhruv Dubey
2. Kamakhya Narain Dubey @ Kamakhya Dubey son of Raj Narain Dubey
Both resident of village - Kathua, P.S. Daraunda, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Arvind Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Rasulpur P.S. Case No. 45 of 2010 registered for the offences punishable under Sections 430, 406, 506 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

At the very outset, it has been submitted that in this case the Police after completing investigation submitted final form against the petitioners as the case has not been found to be true vide annexure-2 but the learned Magistrate after differing with the opinion of the Police has taken cognizance under Sections 3 and 4 of Dowry Prohibition Act, and as such, the petitioners deserve

sympathetic consideration to which the learned APP does not oppose and fairly submits that final form has been submitted.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Chapra in connection with Tr. No. 2068 of 2014 arising out of Complaint Case No. 1467 of 2014 (Rasulpur P.S. Case No. 45 of 2010), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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