

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21200 of 2017

Arising Out of PS. Case No.-1067 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Prem Rai @ Prem Kumar Rai Son of Ramesh Rai
 2. Ramesh Rai Son of late Narayan Rai
 3. Sona Devi Wife of Ramesh Rai All are resident of Village-
Dumari, P.S. Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari Daughter of Kabindra Rai Resident of Village- Bagara Muja,
P.S. Deoria, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Smt. Bela Singh, Advocate
For the State	:	Smt. Renu Kumari, APP
For opposite party No.2	:	Mr. Upendra Kumar Choubey, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-09-2017 Heard learned counsel for the petitioners, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment 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 case is 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 and learned counsel for the opposite party No.2, it is submitted that the petitioners are named in the complaint case.

It has been submitted on behalf of the parties that the matter has already been settled.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, East, Muzaffarpur in connection with Complaint case No.1067 of 2015, 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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