

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22697 of 2017

Arising Out of PS.Case No. -290 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR

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1. MANJU DEVI BANKA @ MANJU BANK, W/o Late Shiv Kumar Banka,
2. Meera Banka @ Meera Bank, W/o Sumit Kumar Banka, Both resident of Mohalla- Shankar Nagar, Ramna P.S. Mithapur, District- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.
2. Rashmi Banka, W/o Amit Banka. Resident of Mohalla- Shnakar Nagar, P.S. Mithapura, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Mithanpura P.S. Case No. 290 of 2016 for the offences instituted under Sections 341, 323, 504, 328, 498(A)/34 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of the 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. The petitioner no.1 is mother-in-law of the informant and petitioner no.2 is gotni of the informant. They are separate in mess and property from the husband of the victim. The petitioners have further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Mithanpura P.S. Case No. 290 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Amit/-

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