

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26329 of 2017

Arising Out of PS.Case No. -718 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. RAJESH BIND, Son of Late Dullu Bind,
2. Sarswati Devi @ Sursati Devi, Wife of Late Dullu Bind, Both R/o
Village- Bhatauni, P.S.- Ramgarh , District- Kaimur at Bhabua.

.... Petitioners

Versus

1. The State of Bihar.
2. Kadami Devi, Wife of Rajesh Bind, D/o Din Narayan Bind , R/o Village-
Bhatauni, P.S.- Ramgrah, District- Kaimur at Bhabua at present at Village-
parsurampur, P.S.- Mohania, District- Kaimur at Bhabua.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-11-2017 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioners are apprehending his arrest in a case
instituted under Section 498A and 504 of the Indian Penal Code.

The allegation against the petitioners is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

Vide order dated, 08.09.2017, the matter was referred
to the Mediation and Conciliation Centre, Patna High Court, Patna
but as per the report of the mediator, the mediation has failed.

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 case is triable by the Magistrate. The petitioners are husband and mother-in-law of the victim respectively. 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 and counsel for the O.P.No.2, it has been submitted that the petitioners are named in the Complaint Case.

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 Complaint Case No.718 of 2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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