

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33511 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -MAHILA P.S. District- SITAMARHI

- =====
1. Surendra Yadav, Son of Sita Sharan Yadav.
 2. Pratibha Devi @ Rani, Wife of Surendra Yadav, Both residents of Village- Narga Laxmipur, P.S.- Bela, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498(A) and 504/34 of the Indian Penal Code.

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 petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner No.1 is the Nandosi of the victim and petitioner No.2 is the wife of petitioner No.1. 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 @ 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 informant, it is submitted that the petitioner is named in the F.I.R.

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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sitamarhi P.S. case No.15 of 2016, 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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