

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48321 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -LODIPUR District- BHAGALPUR

- =====
1. Mritunjay Prakash @ Mritunjay Kumar Dubey (Bhaisur).
 2. Mrigendra Kumar @ Mrigendra Kumar Dubey (husband). Both are resident of Mohalla- Gumti No. 12 Bhikhanpur, District- Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar.
2. Raksha Awasthi @ Shiwani Pandey, D/o Shashi Shankar Awasthi, resident of Village- Kobra, P.S. Lodipur, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr.

For the State : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 313, 498(A) of the
IPC and ¾ of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioners tortured the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have falsely been implicated in the



present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 1 is the in-laws of the victim and petitioner no. 2 is 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Bhagalpur, in connection with Lodipur P.S. Case No. 34/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

