

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61509 of 2017

Arising Out of PS. Case No.-36 Year-2017 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

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1. Komal Paswan S/o late Anant Paswan, village Sakri, P.S. Kudra, District Kaimur (Bhabua)
 2. Surya Mukhi Devi w/o Komal Paswan, village Sakri, P.S. Kudra, District Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kishore
For the Opposite Party/s : Mr. ATUL CHANDRA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 494/34 of the Indian Penal Code and $\frac{3}{4}$ 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. 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, it is submitted that the petitioners
are 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 Sub Divisional
Judicial Magistrate, Kaimur at Bhabua in connection with
Mahila (Bhabua) P.S. case No.36 of 2017, 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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