

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21642 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -FALKAHA District- KATIHAR

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1. Gopal Mandal @ Gopal Maraiya S/o Late Anup Lal Mandal.
2. Parwati Devi 2nd Wife of Gopal Mandal @ Gopal Maraiya Both
Resident of Village- Giriyama Chowk, P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi 1st Wife of Gopal Mandal @ Gopal Maraiya, Resident of
Village- Patwari Tola, Giriyama Chowk, P.S.- Falka, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh
For the Opposite Party/s : Sri Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 11-07-2017 The learned counsel for the petitioners submits that

petitioner no. 1 has been arrested and as such, his criminal

miscellaneous has become infructuous, seeks permission to

withdraw his criminal miscellaneous.

Accordingly, permission is granted and this criminal

miscellaneous with respect to petitioner no. 1 is concerned, is

dismissed as withdrawn.

Heard learned counsel for petitioner no. 2 and learned

Additional Public Prosecutor for the State.

In this application for anticipatory bail, petitioner no.

2 apprehends her arrest in connection with Falka P.S. Case No. 6



of 2017 registered for the offences punishable under sections 494 and 498 (A)/34 of the Indian Penal Code.

Allegedly petitioner no. 2 being second wife of Gopal Mandal used to torture the informant due to non-fulfilment of demand of dowry by way of Rs. 25,000/- and she ousted the informant from in-laws house with a daughter.

Submission is of false implication and that the petitioner has never demanded anything from the informant. The marriage of the petitioner was performed 15 years ago. Against petitioner no. 2, there is no specific allegation and as such, she deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of petitioner no. 2.

In the facts and circumstances as stated above, considering that petitioner no. 2 is second wife of Gopal Mandal and there is no specific allegation against her for demanding and torturing the informant and as such, petitioner no. 2, in case of arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Falka P.S.



Case No. 6 of 2017, subject to the conditions as laid down in
section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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