

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45475 of 2017

Arising Out of PS. Case No.-39 Year-2014 Thana- MAHILA P.S. District- Sitamarhi

1. Awinash Kumar son of Arvind Kumar Dev
2. Arvind Kumar Dev son of Baliram Dev
3. Ranju Devi wife of Arbind Kuamr Dev, all resident of village Bara Govind,
P.S. Chakiya, District East Champaran at Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498A 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) with two sureties of the like amount
each to the satisfaction of Sub Divisional Judicial Magistrate,
Sadar, Sitamarhi in connection with Trial No.1765 of 2017
arising out of Sitamarhi Mahila P.S. case No.39 of 2014, 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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