

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50449 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -SIMRI District- BUXAR

- =====
1. Vishwakarma Mali @ Vishwakarma Prasad, S/o Sudama Mali,
 2. Sudama Mali, S/o Late Shyam Sundar Mali, Both are Resident of
Village- Gangouli, P.S.- Simri (R.D.P. O.P.), District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 30-10-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend arrest in connection with Simri
(R.D.R.O.P.) P.S. Case No. 168 of 2017 registered for the
offences under sections 385 and 506/34 of the Indian Penal Code
and section 3/4 of the Dowry Prohibition Act.

Submission is that the petitioners' side refused to
marry when it came to their knowledge that the age of the girl is
more than the boy.

Moreover, there is no any transaction of money by any
instrument or document to show that One Lakh rupees was given
to the petitioners. It has been submitted that the case of these
petitioners stands on similar footing to the co-accused who has



already been allowed bail by one of the coordinate Bench of this Court on 17.10.2017 in Criminal Misc. No. 49955 of 2017 and so the petitioner also deserves anticipatory bail. The learned Additional Public Prosecutor does not dispute this fact.

Considering the fact that the case of these petitioners stands on similar footing to the case of co-accused who has been allowed bail by one of the coordinate Bench of this Court in Criminal Misc. No. 49955 of 2017, the prayer of anticipatory bail is allowed and the petitioners, namely, (1) Vishwakarma Mali @ Vishwakarma Prasad and (2) Sudama Mali in the event of arrest or surrender before the Court below within six weeks from today, are directed to be released on 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 Chief Judicial Magistrate, Buxar in connection with Simri (R.D.R.O.P.) P.S. Case No. 168 of 2017, subject to conditions as laid down under section 438(2) Cr.P.C..

(Sanjay Kumar, J)

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