

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44451 of 2017

Arising Out of PS. Case No.-33 Year-2017 Thana- CHHABILAPUR District- Nalanda

Sabitri Devi @ Kanti Devi, Wife of Ramji Yadav Resident of Village-
Chhabilapur P.S. Chhabilapur District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni, D/o Bindeshwar Prasad, Resident of Village-Joti Bhagwanpur P.S.
Rajgir District-Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. MURLIDHAR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a case registered under Sections 341, 323, 504, 506, 498A, 494/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner is the mother-in-law. She is separate in mess and property from the husband of



the victim. The petitioner has 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 learned A.C.J.M. VII, Biharsharif, Nalanda in connection with Chhabilapur P.S. case No.33 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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