

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44497 of 2017**

Arising Out of PS. Case No.-84 Year-2017 Thana- DIDARGANJ District- Patna

- 
1. Jitendra Kumar Rai @ Jitendra Rai @ Bijendra Rai, Son of Sri Surendra Rai,
  2. Sabitri Devi W/o Jitendra Kumar Rai @ Jitendra Rai, Both are R/o Village Raja Pakar Vaikunthpur, P.S.- Rajapakar , District- Vaishali.
  3. Asha Kumari D/o Ram Dayal Prasad Yadav, R/o Gauridash Mandi City, P.S.- Malsalami , District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr. Usha Kumari Singh, Adv.       |
| For the State        | : | Mr. Damodar Prasad Tiwary, APP    |
| For O.P. No.2        | : | Mr. Vibhuti Ranjan Sonvadra, Adv. |

---

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      08-12-2017              Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 498A and 365/34 of the Indian Penal Code.

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 been made accused due to



mistake of fact. There is no substantive evidence to suggest their implication in the present case. The petitioner No.1 is brother-in-law (Nandoshi), petitioner No.2 is Nanad and petitioner No.3 is unmarried Nanad of the victim. They are separate in mess and property from the husband of the victim.

On behalf of the State and learned counsel for the opposite party No.2, 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 Additional Chief Judicial Magistrate, Patna City in connection with Didarganj P.S. case No.84 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

