

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36218 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Nirmala Devi Wife of Late Subhash Chandra Sah Resident of Keshari Chowk, Maheshkhunt, P.S. Maheshkhunt, District - Khagaria.

.... Petitioner

Versus

1. The State of Bihar.
2. Minu Kumari daughter of Kuldeep Sah resident of Village Milki, P.S. Bihpur, District Bhagalpur, Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in connection with Complaint Case No. 294 of 2016 for the offence instituted under Section 498(A)/34 of the Indian Penal Code and Section 4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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 mother-in-law of the victim. She is separate in mess and property from the husband of the victim. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 294 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Naugachhia, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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