

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37372 of 2017

Arising Out of PS.Case No. -206 Year- 2016 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Gajendra Mishra Son of Late Kripanand Mishra
 2. Bhupendra Mishra Son of Late Kripanand Mishra
 3. Ganga Devi Wife of Bhupendra Mishra
 4. Kumar Jee @ Manikant Mishra @ Kunwarjee @ Kumbar Mishra S/o Bhupendra Mishra
 5. Pinki Devi Wife of Kunwarjee @ Manikant Mishra @ Kumar Jee @ Kumbar Mishra All residents of Village - Khajuri, P.S. - Simri Bakhtiyarpur, District - Saharsa.

.... Petitioners

Versus

1. The State of Bihar.
2. Veena Devi @ Meena Devi Wife of Gajendra Mishra Resident of Village - Khajuri, P.S. - Simri Bakhtiyarpur, District - Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Madhav Jha, Advocate.

For the State : Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.206C of 2016 for the offences instituted under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant 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 with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the complainant. They are separate in mess and property from the husband of the complainant. The case is triable by the Magistrate. The petitioners have further 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 has been submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 206C of 2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)