

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37094 of 2017

Arising Out of PS.Case No. -245 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Geeta Devi @ Masomat Geeta Devi W/o Late Nilambar Acharya , R/o
Village- Karama, P.S.- Puraini, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar .
2. Nishu Devi W/o Raushan Acharya, R/o Village- Karama, P.S.- Puraini,
District- Madhepura, Presently Residing at D/o Vinod Jha, Village- Khara,
P.S.- Udakishunganj, District- Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Smt. Pronati Singh

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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. 245 of 2016 for the offence instituted under Sections 323, 498-A, 504, 307 of the Indian Penal Code and Section 3/4 of D.P. Act but the Cognizance has been taken under Sections 323, 498A, 504, 34 of the Indian Penal Code and Section 4 of D.P. Act.

The allegation against the petitioner is of committing assault and 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. 245 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., Uda Kishunganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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