

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45441 of 2017

Arising Out of PS. Case No.-171 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Nirmala Devi wife of Bhogendra Jha
2. Bhogendra Jha son of late Yatish Jha
3. Dilip Jha @ Binit Jha son of Bhogendra Jha, all R/o village Gaibipur, P.S. Bennipatti, District Madhubani, at present residing at 9/57, Pal Bagana Lane, Belur Math, Howraha, P.S. Bali & District Howaraha

... .. Petitioner/s

Versus

1. State Of Bihar
2. Prabha Kumari daughter of Sri Pramod Kumar Thakur, R/o village Shrikhandi Bhittha, P.S. Sursand, District Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Smt. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 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 Section 498A 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 falsely been implicated in the present case. The case is triable by the Magistrate. The



petitioners have 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 and learned counsel for the Opposite Party No.2, it is submitted that the petitioner is named in the complaint case.

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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupari, Sitamarhi in connection with Complaint case No. C1-171 of 2016, 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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