

Criminal Miscellaneous No.29992 of 2018

1. Deo Mallik, S/o Bodha Mallik,
2. Kranti Devi, W/o Deo Mallik, Both are R/o Bakhtiyarpur, Near Railway Station, P.S.- Bakhtiyarpur, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Pinki Devi @ Shakina Kumari, W/o Akash Mallik D/o Sanjay Mallik,
R/o Vill.- Keshawe, P.S.- Refinari Sahayak, District- Begusarai.

.... Opposite Parties

Appearance :

For the Petitioners : Mr. Anuj Kumar, Advocate.
For the State : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Learned counsel for the petitioners is permitted to
make necessary correction in respect to the name of husband of
petitioner no. 2, in course of the day.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A) of the IPC and 3/4 of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioners are in-laws of the victim. They are separate in mess and property from the husband of the victim. 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned Chief Judicial Magistrate, Begusarai, in connection with Barauni (Refinery) P.S. Case No. 446 of 2017, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

