

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39791 of 2018

Arising Out of PS. Case No.-208 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

-
1. Mina Devi Wife of Birbal Yadav
 2. Birbal Yadav Son of Charitra Yadav, Both Resident of Village- Sapaha, Police Station- Maheshkhut, District : Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Beauty Kumari aged about 22 years Daughter of Sambhu Yadav, Resident of Village: Chaman Tola, P.O. Durgapur, P.S. Muffasil, District Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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 due to petty family dispute. 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, it is submitted that the petitioners are named in the complaint case/F.I.R.

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 Sub Divisional Judicial Magistrate, Khagaria in connection with Complaint case No.208(c) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

