

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40854 of 2018**

Arising Out of PS. Case No.-4 Year-2018 Thana- MAHILA P.S. District- Patna

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1. Ranju Devi wife of Mahesh Sharma
  2. Mahesh Sharma @ Mahesh Kumar son of Rajendra Sharma Both are residents of Village - Mahangupur, P.S. - Jaitpur, District - Patna A/p resident of Triple F Mess, Shashi Boys Hostel, Panchayati Nagar, P.S. - Bahadurpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3     24-07-2018                      Counsel for the petitioners seeks permission to withdraw this application so far petitioner no. 2 is concerned.

Permission is accorded.

The application is dismissed as withdrawn with respect to petitioner no. 2.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for O.P. No. 2.

The petitioner no. 1 is apprehending her arrest in a case registered under Sections 498A, 313, 506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that she



has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case due to petty family dispute. There is no medical report to support the allegations for constituting offence under Section 313 of the Indian Penal Code. Rest of the offences are triable by the Magistrate. The petitioner has 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 petitioner no. 1 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 1 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Patna in connection with Mahila P.S. Case No. 04 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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