

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50506 of 2018

Arising Out of PS. Case No.-406 Year-2018 Thana- MASAUHRI District- Patna

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1. Vakil Singh son of Late Prema Singh
2. Uma Devi wife of Vakil Singh, both resident of village/Mohallah
Gangachak, P.S. Masaurhi, District Patna (Bihar)

... .. Petitioner/s

Versus

1. State Of Bihar
2. Priyanka Kumari wife of Amarjit Singh, resident of village/Mohallah
Gangachak, P.S. Masaurhi, District Patna (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 342, 379, 307, 384, 498A/34 of the Indian Penal Code.

Allegation against the petitioners 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 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 nature of injury is simple. Hence, no offence under Section 307 of the I.P.C. is made out. Rest of the offences are 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, Masaurhi, Patna in connection with Masaurhi P.S. case No.406 of 2018, 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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