

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11659 of 2018**

Arising Out of PS. Case No.-432 Year-2005 Thana- BHABHU(KAIMUR) COMPLAIN C  
District- Bhabhua (Kaimur)

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1. Akali Devi wife of Bimal Musahar  
2. Asha Devi wife of Birendra Musahar, both resident of village Siwan, P.S.  
Karahagar, District Rohtas at Sasaram

... .. Petitioner/s

Versus

1. State Of Bihar  
2. Mantra Devi wife of Mundrika Musahar, resident of village Siwan, P.S.  
Karahagar, District Rohtas at Sasaram

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharmendra Kumar Singh  
For the Opposite Party/s : Mr. KHURSHID ANWAR

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

2      05-03-2018              Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 406 of the Indian Penal Code and 3 of Dowry Prohibition Act.

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 are co-villager of the husband of the victim. 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.

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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kaimur at Bhabua in connection with Complaint case No.432 of 2005, 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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