

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10163 of 2018

Arising Out of PS. Case No.-93 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Ganpati Pandey @ Ganpat Pandey
 2. Santosh Pandey Both Sons of Late Radha Mohan Pandey
 3. Baby Devi, Wife of Ganpati Pandey
 4. Rekha Devi, Wife of Santosh Pandey
 5. Soni Devi, Daughter of Late Radha Mohan Pandey All Resident of Village-Jagdishpur, Police Station-Pirpainty, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Wife of Bipin Pandey, Daughter of Chandra Kishore Kunwar, Resident of Village-Sonvarsha, P.S.-Bihpur, District-Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravina Kumari
For the Opposite Party/s : Mr. IFTEKHAR MAHMOOD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the present application in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A/34 of the Indian Penal Code and 3/4 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 petitioner nos. 3, 4 and 5 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. They are in-laws. 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.

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., Naugachiya, District- Bhagalpur in connection with Complaint Case No. 93 of 2017, subject to the conditions as laid down



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

(Sudhir Singh, J)

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