

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8559 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- BELA District- Sitamarhi

1. Babita Sinha @ Babita Devi wife of Sushil Kumar Srivastava @ Sushil Kumar @ Bablu Jee
2. Shalu Kumari daughter of Sushil Kumar Srivastava @ Sushil Kumar @ Bablu Jee
3. Sushil Kumar @ Sushil Kumar Srivastava @ Bablu Jee son of late Madan Prasad Srivastava, all are resident of village Susta Kachhi Pakki Chouk, P.S. Sadar, District Muzaffarpur

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. NITYANAND TIWARY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 341, 323, 504, 506/34 of the Indian Penal Code and $\frac{3}{4}$ 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 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 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 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sadar, Sitamarhi in connection with Bela P.S. case No.124 of 2017, 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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