

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9706 of 2018

Arising Out of PS. Case No.-451 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Kamaldeo Paswan,
2. Bimaldeo Paswa @ Chhote. Both are Sons of Kedar Paswan,
resident of Village- Motha, Police Station and District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sangeeta Kumari, Wife of Kamaldeo Paswan, resident of Village- Motha,
Police Station and District- Arwal, Presently Daughter of Arjun Paswan,
resident of Village- Devdaha, Police Station- Dhanarua, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. MD. ASHLAM ANSARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 323, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner 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 due to petty family dispute. 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 Sri Ranjay Kumar, Judicial Magistrate, 1st class, Masaurhi, Patna in connection with Complaint case No.451C of 2016, 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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