

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11035 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

1. Yashbant Rai, son of Late Bindeshuri Rai
2. Mintu Devi @ Mintu Kumari, wife of Yashbant Rai
Both are resident of village Jhamatiya, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Kumari, d/o- Ramakant Pandey, r/o- village Chaita, P.s.-
Angarghat, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha
For the Opposite Party/s : Mr. BHARAT BHUSHAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case in
which cognizance has been taken under Section 498A 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 are father-in-law and mother-in-law



respectively of the victim. They have falsely been implicated in the present case due to petty family dispute. They are separate in mess and property with the husband of the deceased. 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 V.K. Singh, Judicial Magistrate 1st Class, Dalsingsarai, District- Samastipur in connection with Complaint Case No. 133 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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