

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42540 of 2018

Arising Out of PS. Case No.-1572 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Smt. Kaushalya Devi W/o Ramesh Paswan R/o Jandaha, near Sarvoday
Maidan, Ward no. -09, P.S. - Jandaha, District - Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lovely Kumari w/o Sunil Paswan @ Sunil Kumar, daughter of Pradip Paswan
Mohalla - Bahadurpur, Ward No. 26, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Chandra Shekhar Azad
For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered under Section 498A/34 of the Indian Penal Code and
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 petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case due to
petty family dispute. The case is triable by the Magistrate. The



petitioner has 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 petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Complaint case No.1572 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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