

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42572 of 2018

Arising Out of PS. Case No.-3664 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Suresh Tiwari, Son of Late Ram Prasad Tiwari
 2. Monako Devi @ Monaka Devi, wife of Suresh Tiwari, Both are resident of Village- Basra, P.S.- Sikarhata, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Rai, wife of Bhawani Kumar, Daughter of Shiv Shankar Rai, resident of Village- Bhaluana, P.S.- Charpokhari, District- Bhojpur, at present- Kurji Mor, C/o- Ashok Kumar Singh, P.S.- Patliputra, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam Kumar
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 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, 307, 379, 352, 323, 324 of the Indian Penal Code, but cognizance has been taken under Section 498A of the I.P.C.

Allegation against the petitioners is of committing torture and assault 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 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) with two sureties of the like amount each to the satisfaction of learned 12th A.C.J.M., Patna in connection with Complaint case No.3664(c) 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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