

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48084 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Kavita Devi W/o Anil Upadhyay resident of Village- Pachauri, P.S.- Gamhar,
District- Gajipur (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rambha Devi, wife of Rishikant Upadhaya, resident of Village- Thakura, P.S.- Ramgarh, District- Kaimur, Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-08-2018 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 $\frac{3}{4}$ 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 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/F.I.R.

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 C.J.M., Kaimur at
Bhabua in connection with Mahila Bhabua P.S. case No.26 of
2018, 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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