

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50580 of 2018

Arising Out of PS. Case No.-247 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Rajendra Rai @ Shailendra Rai son of Late Lakhan Rai
2. Hira Devi wife of Rajendra Rai @ Shailendra Rai, both are resident of village Dumar, Police Station Falka, District Katihar

... .. Petitioner/s

Versus

1. State Of Bihar
2. Juli Devi daughter of Raju Mandal, resident of village Milki Goshala, Police Station Naugachia, District Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and 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 petitioner 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 Sub Divisional Judicial Magistrate, Naugachia in the district of Bhagalpur in connection with C-247 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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