

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55247 of 2018

Arising Out of PS.Case No. -638 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District- SITAMARHI

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1. Mukesh Das @ Mukesh Kumar Das, S/o Sakaldew Das,
 2. Suresh Das @ Suresh S/o Sakaldew Das,
 3. Vibho Devi W/o Sakaldew Das, All are R/o Vill.- Dheng Maniyari, P.S.- Majorganj, District- Sitamarhi. At present Address- Mukesh Kumar Das, N 3/3-277 Sahid Sukdew Nagar, Wajirpur Industrial Area, Delhi-110052.

.... Petitioners

Versus

1. The State of Bihar.
2. Guriya Devi, W/o Mukesh Das @ Mukesh Kumar Das, R/o Vill.- Dheng Maniyari, P.S.- Mejorganj, District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Madhubala Verma, Advocate.
For the State : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioners tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioners that the petitioners have falsely been implicated in the
present case due to petty family dispute. There is no allegation of



tampering with the witnesses alleged against the petitioners. The petitioners are husband and in-laws of the victim. The informant and her family members are in habit of instituting similar cases against the petitioners and their family members. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Sitamarhi, in connection with Complaint Case No. 638 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

