

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52923 of 2018

Arising Out of PS.Case No. -1439 Year- 2017 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Vasanti Devi @ Basanti Devi, Wife of Late Sawaliya Bihari Dwivedi,
2. Priyanka Devi, Wife of Vipresh Kumar Dwivedi, Both resident of
Village- Dev Bahuara, P.S.- Marhowrah, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Neha Kumari, Wife of Dwijesh Kumar Dwivedi, Daughter of Ravindra
Nath Tiwary, Resident of Village- Ismailchak, P.S.- Sonpur, District- Saran
at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 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 4 of
Dowry Prohibition Act.

Allegation against the petitioners is of committing torture
upon the victim due to non-fulfillment 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 due to



petty family dispute. 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/F.I.R.

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) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Complaint Case No. 1439 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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