

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33864 of 2018

Arising Out of PS. Case No.-185 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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1. Pratap Narayan Rao son of late Dattatreya Rao
2. Shail Devi wife of Pratap Narayan Rao, both are Residents of Vill.-
Lagunaha, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Brij Kishor Mishra, Adv.
For the State	:	Smt. Anusuiya Jaiswal, APP
For opposite party No.2	:	Mr. Madhav Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2018 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case
registered under Sections 498A, 315, 307, 504, 120B of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

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. There is no medical examination report in support of the allegations made in respect of offence under Sections 315 and 307 I.P.C. Rest of the offences are 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 and learned counsel for the informant, it is submitted that the petitioners are named in the 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, District East Champaran in connection with Motihari Town P.s. case No.185 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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