

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38818 of 2018**

Arising Out of PS. Case No.-319 Year-2016 Thana- MADHEPURA COMPALINT CASE  
District- Madhepura

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1. Pradeep Mukhiya S/o Lalan Mukhiya
  2. Lalan Mukhiya S/o Late Subodh Mukhiya, Both residents of Village- Brahampur, P.O.- Bairo, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reena Devi W/o Pradeep Mukhiya, resident of Village- Brahampur, P.O.- Bairo, P.S.- Supaul, District- Supaul. presently resident- D/o Chandradeo Mukhiya, Village- Bhawanipur, P.S. Singheshwar, District- Madhepura.

... .. Opposite Party/s

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**Appearance :**

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| For the Petitioners       | : | Mr. Pawan Kumar, Advocate          |
| For the State             | : | Mr. Md. Arif, APP                  |
| For Opposite Party No.2 : |   | Ms. Kumari Rashmi, Advocate        |
|                           |   | Mr. Shailendra Kr. Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      05-07-2018                      Heard learned counsel for the petitioners, learned  
  
APP for the State and learned counsel for the opposite party  
  
No.2.

The petitioners seek bail in a case registered under  
  
Section 498A of the Indian Penal Code.

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 petitioners that  
  
the petitioners are in custody since 24.04.2018 and 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 and learned counsel for the opposite party No.2, 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Vidya Prasad, A.C.J.M. II, Madhepura in connection with Complaint case No.319 of 2016.

**(Sudhir Singh, J)**

Narendra/-

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