

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6973 of 2018

Arising Out of PS. Case No.-339 Year-2017 Thana- NAUBATPUR District- Patna

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1. Jitendra Sharma @ Jitendra Kumar @ Jitendra Kumar Sharma @ Jitendra Kumar Shukla, Son of Ramayan Sharma.
 2. Madhu devi Wife of Jitendra Sharma @ Jitendra Kumar Shukla. Both Resident of Village-Sheikhpura. Police Station-Naubatpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. SATYENDRA NARAYAN SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ 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 petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioners are in-laws. They are separate in mess



and property from the husband of the victim. 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 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 A.C.J.M.-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 339 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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