

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2989 of 2018

Arising Out of PS.Case No. -91 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Sunita Devi W/o Sanjay Sah, Resident of Village-Bari Singhwahini, P.S.-
Sonbarsa, District-Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Mamta Devi, Wife of Sanjay Sah, resident of Bari Singhwahini, P.S.-
Sonbarsa, District-Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar
For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending her arrest in a case
instituted under Sections 498(A), 494 of the Indian Penal Code
and 3/4 of D.P. Act.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. The petitioner is not
named in the F.I.R. she has not been charge sheeted by the police.
However, cognizance has been taken against her also. She is



second wife of the husband of the informant. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The petitioner has no concern with the alleged incident. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sonbarsa P.S. Case No.91/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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