

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9041 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- SIKTA District- West Champaran

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1. Brijesh Lal Shrivastava, Son of Late Laxman Lal Shrivastava.
 2. Sakuntala Devi, W/o of Late Laxman Lal Shrivastava Both Resident of Village-Sikta Bazar, Ward No.-6, P.S.-Sikta, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirmala devi, Daughter of Mohan Lal Shrivastava W/o Brijesh Lal Shrivastva, R/o Sikta Bazar, Ward No.-6, P.S.-Sikta, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta
For the Opposite Party/s : Mr. ARUN KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A 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 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 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, Bettiah, West Champaran in connection with Sikta P.S. case No.133 of 2017, 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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