

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24095 of 2018

Arising Out of PS. Case No.-1217 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

=====

1. Krishna Murari Kumar, S/o Late Damodar Prasad Yadav,
2. Shidhani Yadav @ Shidhani Yadav S/o Late Baldeo Yadav, Both
R/o Vill.- Heera Tola, P.S.- Sahebpur Kamal, District- Begusarai.
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Kumari W/o Krishna Murari Kumar D/o Sudhir Yadav, R/o Vill.-
Heera Tola, P.S.- Sahebpur Kamal, Distt.- Begusarai, At present residing of
Bari Nagar, Thakurbari Tola, P.S.- Barari, District- Katihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Nakul Kumar Jamuar, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP
For O.P. No.2	:	Mr. Vinay Kumar Mishra, Advocate
		Mr. Shankar Prasad Roy, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 Heard learned counsel for the petitioners, learned

APP for the State and learned counsel for the opposite party

No.2.

The petitioners are apprehending their arrest in a case registered under Sections 323, 498A, 313, 504 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. and 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 and learned counsel for the opposite party No.2, it is submitted that the petitioners are named in the complaint case.

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 S.D.J.M., Katihar in connection with Complaint case No.1217 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

