

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20621 of 2018**

Arising Out of PS. Case No.-37 Year-2017 Thana- MADHEPURA COMPALINT CASE  
District- Madhepura

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1. Sonu Mukhiya, son of Jalo Mukhiya  
2. Jalo Mukhiya, son of Ramji Mukhiya  
3. Bina Devi, wife of Jalo Mukhiya  
All resident of village Bishariya, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar  
2. Sunita Devi, wife of Sonu Muhkiya, D/o- Ganga Mukhiya, r/o- village  
Mahesua, P.S.- Udakishunganj, District- Madhepura.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad  
For the Opposite Party/s : Smt. Asha Kumari

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

2      10-04-2018              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 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 are husband, father-in-law and



mother-in-law respectively of the victim. They 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 Complaint Case/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 S.D.J.M., Udakishunganj, Madhepura in connection with Complaint Case No. 37/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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