

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28443 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- MAHILA P.S. District- Patna

Malti Devi Wife of Sohan Das R/O Malti Niketan, Ganesh Lok Colony, Kanti
Factory Road, Kankarbagh, P.O.- Bahadurpur, P.S.- Agamkuan, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case
registered under Sections 498A, 379, 307, 509/34 of the Indian
Penal Code.

Allegation against the petitioner is of committing
torture and assault 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 petitioner is mother-in-law of the victim. She has
falsely been implicated in the present case due to petty family



dispute. There is no medical report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. Rest of the offences are triable by the Magistrate. The petitioner has 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 petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 Sri Priya Shekhar, Judicial Magistrate, 1st Class, Patna in connection with Mahila P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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