

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35264 of 2018

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1. Ramnath Mistry, Son of Ramdhari Mistry.
2. Dulari Devi, wife of Ramnath Mistry.
3. Ravi Kant Mistry, Son of Ramnath Mistry.
4. Birbal Mistry, Son of Ramnath Mistry. All are resident of Village-
Dahiyar, Police Station- Barachatti, District- Gaya.

.... Petitioners

Versus

1. The State of Bihar
2. Doaly Kumari, wife of Udai Kumar, Daughter of Sakaldev Mistry,
resident of Village- Dhanawa, Police Station- Bodh Gaya, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 498A, 323, 379 and 504 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture
upon the victim due to non-fulfillment 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 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 Chief Judicial Magistrate, Gaya in connection with Complaint Case No. 1983 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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