

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51788 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -MAHILA P.S. District- SARAN

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1. Basanti Devi, W/o Praduman Sah,
2. Praduman Sah S/o Sona Lal Sah, Both are R/o Vill.- Satua Sareya, P.S.-
Baniyapur , Distt.- Saran at Chapra.

.... Petitioners

Versus

1. The State of Bihar.
2. Madhu Kumari S/o Manilal Sah , R/o Vill.- Bishuni, P.S.- Chapra
Muffasil , District- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari
For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323 and 498A/34 of the Indian
Penal Code and ¾ 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 Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Mahila P.S. Case No. 24 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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