

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63765 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

1. Doli Devi @ Doli Kumari wife of Nilesh Mishra
2. Sujata Devi wife of Niraj Mishra
3. Nilesh Mishra @ Nilesh Kumar Mishra son of late Siya Ram Mishra
4. Rupesh Mishra @ Rupesh Kumar Mishra son of late Siya Ram Mishra, all residents of village Shiraniya, P.S. Gogari, Jamalapur, District Khagaria

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kajal Kumari daughter of Shyam Sundar Thakur, resident of Navgachia, Ward No.14, P.S. Navgachia, District Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 341, 323, 504, 506/34 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-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. 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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Navgachia, District Bhagalpur in connection with Navgachia Mahila P.S. case No.22 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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