

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14349 of 2018

Arising Out of PS.Case No. -129 Year- 2017 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Shweta Jha D/o Chitranjan Jha, R/o Vill.+P.O.- Surihari, P.S.- Amarpur,
District- Banka, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chitra Mishra D/o Jawahar Lal Mishra, 171 Madhu Sri Colony, P.S.-
Barari, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending her arrest in a complaint case instituted for the offence under Sections-323, 498A, 494 read with Section-34 of the IPC and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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 first wife of co-accused Jitendra Kumar Mishra. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the



judgment of this Court in the case of **Md. Naimul 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 learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 129C of 2017, 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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