

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38514 of 2018

Arising Out of PS.Case No. -721 Year- 2017 Thana -COMPLAINT CASE District- JAMUI

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1. Gyan Prakash Malviya, S/o Niranjan Kumar Malviya,
2. Priyanka Rani W/o Gyan Prakash Malviya, Both are R/o Vill.- Mahuli
Post Office Gidhaur, P.S.- Khaira, District- Jamui.

.... Petitioners

Versus

1. The State of Bihar.
2. Kumari Deepa W/o Vijay Prakash Malvia, R/o Vill.- Mahuli Post
Gidhaur, P.S.- Khaira, District- Jamui (Bihar).

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Nagendra Dubey
For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 498A of the Indian Penal Code and ¾ 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 petitioners that 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. On earlier occasion, for
similar nature of offence, a case has been lodged by the



complainant against the petitioners and their family members. 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, Jamui in connection with Complaint Case No. 721 C of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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