

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10367 of 2018

Arising Out of PS. Case No.-132 Year-2017 Thana- ASHTHWAN District- Nalanda

1. Dinesh Prasad @ Jitendra Prasad, s/o- Rambriksh Mahto @ Ram Brij Prasad
2. Savitri Devi, wife of Dinesh Prasad @ Jitendra Prasad
Both resident of village Ugama P.S.- Asthawan, District- Nalanda
At present both resident of House No. 4631, 40 feet road, Ward No. 6, Near Jyoti Hospital, Sanjay Colony, Sector-23, Faridabad, Sector-22, P.S.- Mujessar, District- Faridabad, haryana-121005.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1
For the Opposite Party/s : Mr. MITHILESH KUMAR KHARE

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 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, 498A, 364 /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 are elder brother and his wife of the



husband of the victim. They have falsely been implicated in the present case due to petty family dispute. They are separate in mess and property from the husband of the victim. They reside at Faridabad in Hariyana. 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 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, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 132 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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