

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7411 of 2018

Arising Out of PS. Case No.-934 Year-2016 Thana- COMPLAINT CASE District- Banka

1. Shivnandan Choudhary, s/o- Kailu Choudhary,
2. Anupma Devi @ Anupa Devi, wife of Kailu Choudhary,
Both resident of village Gorgama, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shita Devi, wife of Shivnandan Choudhary, resident of village Gorgama,
P.s.- Amarpur, District- Banka, presently residing at D/O- Yogendra Yadav,
Resident of village- Baja, P.s.- Amarpur, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar
For the Opposite Party/s : Mr. SRI ADITYA NARAYAN SINGH 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a complaint case in which cognizance has been taken under Section 498A of the Indian Penal Code and $\frac{3}{4}$ 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 they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Petitioner



no. 1 is the husband and petitioner no. 2 is the mother-in-law of the victim. They 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.

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 S.D.J.M., Banka in connection with Complaint Case No. 934/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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