

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.862 of 2018

Arising Out of PS. Case No.-67 Year-2017 Thana- MAHILA P.S. District- Saharsa

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1. Shobha Gupta w/o Sri Jai Prakash Sah aged about 48 years, R/o Bherdhari, Ward No.37, Post office and Police Station and District Saharsa
2. Pinki Devi @ Pinki Kumari w/o Arun Sah @ Arun Kumar, R/o village and post Salkhua, Police Station Salkhua, District Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Khushbu Kumari D/o Sri Suresh Sah, R/o Gandhi Path, Sahu Tola, Post office and Police Station and District Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ajit Kumar, Advocate
For the State : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party No.2.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 504 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 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 and learned counsel for the opposite party No.2, 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 Sri Manish Kumar, Judicial Magistrate, 1st class, Saharsa in connection with Saharsa Mahila P.S. case No.67 of 2017, 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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