

Criminal Miscellaneous No.62343 of 2017

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1. Laliya Devi, Wife of Late Jiwachha Safi,
2. Dinesh Safi, Son of Late Jiwachha Sari, Both resident of Village- Bari (Dhobi Tola), P.S.- Sinhiya, District- Samastipur (Bihar).

Versus

- Opposite Parties

For the Petitioners : Mr. Vinay Kumar Mishra, Advocate.
For the State : Mr. Jai Narain Thakur, A.P.P.
For the O.P. No. 2 : M/S. Ranjeet Kumar and Kundan Kumar,
Advocates.

3 06-02-2018 It seems that earlier vide order dated 21.12.2017, the
petitioner no. 1, namely, Laliya Devi, has already been granted
anticipatory bail by another co-ordinate Bench of this Court.

Heard learned counsel for the petitioner no. 2, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323, 494 and 498(A) of the IPC.

The prosecution story, in brief, is that the accused



persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner no. 2 Dinesh Safi, above named, in the event of arrest or 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 the learned S.D.J.M., Rosera, Samastipur, in connection with Complaint Case No. 323 of 2011 (Tr. No. 2029 of 2013), subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

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(Sudhir Singh, J)

