

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10344 of 2018

Arising Out of PS. Case No.-203 Year-2017 Thana- BARAHIYA District- Lakhisarai

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Asha Devi W/o Ghanshyam Singh, R/o Village- Jaitpur, P.S.- Barahiya, Distt.- Lakhisarai,

... .. Petitioner/s

Versus

1. State of Bihar,
2. Seema Devi W/o Pankaj Singh, D/o Ram Jatan Singh, R/o Vill- Karari Pipariya, P.S.- Piparia, Distt.- Lakhisarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha
For the Opposite Party/s : Mr. MD. ANSARUL HAQUE

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Sections 341, 323, 337, 325, 307 and 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. Petitioner is the gotni



of the victim. There is no medical report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. The petitioner is separate in mess and property from the husband of the victim. The petitioner has 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, District- Lakhisarai in connection with Barahiya P.S. Case No. 203 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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