

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9609 of 2018

Arising Out of PS.Case No. -63 Year- 2017 Thana -DEO District- AURANGABAD

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1. Anita Devi, W/o Yugesh Singh, R/o Village- Panti, P.S.- Deo, District- Aurangabad, (Bihar).
2. Santosh Singh, S/o Yugesh Singh, R/o Village- Panti, P.S.- Deo, District- Aurangabad. (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudheshwar Singh

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections-498A, 365/34 of the IPC and $\frac{3}{4}$ of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioners that petitioners are in custody since 30-11-2017 & 03-12-2017 respectively and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in this case as prior to institution of present case, the informatory petition was filed in respect of missing of the victim. Petitioners are mother-in-law and Devar of the victim. Petitioners are separate from mess and property of husband of the victim. 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/F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on 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, Aurangabad in connection with Deo P.S. Case No. 63 of 2017.

(Sudhir Singh, J)

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