

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35054 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- MOHANIA District- Bhabhua (Kaimur)

1. Arvind Kumar Singh, S/o Sri Chandrama Singh.
2. Chandrama Singh, S/o Late Budhan Singh.
3. Sharda Devi, W/o Sri Chandrama Singh, All residents of Village- Pipariya, P.S.- Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-I

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 364/34 of the Indian Penal Code and Sections 3 and 5 of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture and assault 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. From perusal of the statement of the victim made under Section 164 Cr.P.C., it is evident that no offence under



Section 364 IPC is made out. Rest of the offences are triable by the Magistrate. The petitioners are husband and in-laws of the victim. They 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, 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 Chief Judicial Magistrate, Bhabua, Kaimur in connection with Mohania P.S. Case No. 140 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

