

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46293 of 2018

Arising Out of PS. Case No.-668 Year-2017 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Gowardhan Bhagat son of Late Jholi Bhagat
2. Chandra Kala Devi wife of Nand Lal Bhagat
3. Nand Lal Bhagat son of Gowardhan Bhagat, all resident of village Sahugadh, Ward No.09, Police Station Madhepura, District Madhepura

... .. Petitioner/s

Versus

1. State Of Bihar
2. Puja Kumari @ Anita Kumari, wife of Vinod Bhagat, daughter of Birendra Bhagat, resident of village Sahugadh, Ward No.09, Police station Madhepura, District Madhepura, at present resident of village Madhepura, Ganesh Asthan, Post office Bhagwanpur, Police station and District Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioners	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For opposite party No.2	:	Mr. Surya Narain Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 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 323, 498A, 384/34 of the Indian Penal Code and 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 complaint case.

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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhepura in connection with Complaint case No.668 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

Narendra/-

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