

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44976 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Nagina Sharma, S/o Late Kishori Sharma,
2. Geeta Devi W/o Nagina Sharma, Both R/o Vill.- Balmi Sirishiya, P.S.-
Kalayanpur, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2018 Counsel for the petitioners is permitted to make necessary
correction in paragraph-1 of the main application in course of the
day.

Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 323, 379, 307, 504, 506, 120B of
the Indian Penal Code but charge sheet has been submitted under
Sections-498A, 323, 504/34 of the Indian Penal Code only.

Allegation against the petitioners 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 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 due to petty family dispute. 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, 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 ACJM-IX, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 101 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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