

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65194 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- MAHILA PS District- Darbhanga

Neha Devi @ Neha Kumari, w/o- Sri Atendra Kumar, r/o- Mohalla K.M.
Tank, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.1

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in a case registered under Section 498A, 323, 341, 342, 324, 326, 307/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfillment 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. The nature of injury is said to be simple. Hence no offence under Section 307 IPC is



made out. The petitioner is the jethani of the victim. Except for the offence under Section 307 IPC, rest of the offences are triable by the Magistrate. 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 Complaint Case/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 S.D.J.M., Darbhanga in connection with Mahila P.S. Case No. 17/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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