

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26067 of 2018

Arising Out of PS. Case No.-265 Year-2013 Thana- KHAGARIA District- Khagaria

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1. Srikant Jha son of Late Jagat Narayan Jha
 2. Sanjeev Jha son of Srikant Jha Both are residents of Village - Mauranga Diyara, P.S. Baliya, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 364, 498A/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. No offence under Section 364 I.P.C. is made out in the light of Annexure-2 to the present application. A complaint



case was filed by the brother of the petitioner alleging that the victim had left with her father and brother from the house of the petitioner and since then she is traceless. The said complaint case was filed prior to institution of the present case. Rest of the offences are 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 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. case No.265 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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