

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48643 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Khatai Sharma son of Late Bangali Sharma
2. Maya Devi wife of Khatai Sharma
3. Babusaheb Sharma son of Khatai Sharma All residents of village - Nimuiya, P.S. - Jogapatti, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bechan Devi wife of Sadhu Sharma resident of village - Nimuiya, P.S. - Jogapatti, District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Smt. Veena Rani Prasadd.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 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/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, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Jogapatti (Nawalpur) P.S. case No.204 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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