

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35263 of 2018

Arising Out of PS. Case No.-55 Year-2017 Thana- MAHILA P.S. District- Madhepura

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1. Kailash Sahni Son of Shiv Sahni.
 2. Sakuntala Devi, Wife of Kailash Sahni, Both are resident of Village- Puraini, P.S. Puraini, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi, wife of Radhe Sahni, resident of Village+ P.S. Puraini, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-06-2018 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, 341, 323/34 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 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 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 S.D.J.M., Madhepura in connection with Mahila P.S. Madhepura case No.55 of 2017, 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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