

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75715 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- KOCHAS District- Rohtas

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1. Ganesh Seth @ Ganesh Prasad Son of Late Brijnandan Prasad
 2. Nirmala Devi Wife of Ganesh Seth @ Ganesh Prasad Both Resident of Village-Baulia Road, Police Station-Sasaram (Town), Distt.-Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Devi Wife of Laxman Kumar Singh Resident of Mohalla-Shobhaganj, Sasaram, Ward No.37, Police Station-Sasaram(T) Distt.-Rohtas at Sasaram

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498A of the Indian Penal Code and $\frac{3}{4}$ 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 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 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 Additional Chief Judicial Magistrate-Ist, Rohtas at Sasaram in connection with Kochas P.S. case No.132 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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