

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9155 of 2019**

Arising Out of PS. Case No.-921 Year-2012 Thana- SITAMARHI COMPLAINT CASE  
District- Sitamarhi

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1. Arun Kumar Mishra S/o Late Indrakant Mishra @ Kaviji
  2. Gambhira Devi W/o Arun Kumar Mishra, both resident of village-Chauhta, P.S-Bispi, Distt.-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neetu Kumari W/o Rajesh Kumar Mishra, resident of chauhta, P.S-Bispi, Dist.-Madhubani. At present resident of C/o Vinay Kumar Jha, village-Bisanpur, P.S-Majorganj, Distt.-Sitamarhi

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amit Kumar Jha  
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-02-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code and 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.

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., Sitamarhi, Sadar in connection with Tr. No.3358 of 2013 arising out of Complaint case No. C-1/921/2012, 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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