

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18000 of 2019

Arising Out of PS. Case No.-464 Year-2017 Thana- MOHANIYA District- Kaimur (Bhabua)

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1. Mansa Devi, aged about 26 Years, Gender-Female, D/o Ram Pravesh Upadhyay, Resident of Village - Harkeshpur, Post - Dewal, P.S.- Gahmar, Distt - Ghazipur (U.P.).
2. Priyanka Kumari, aged about 23 Years, Gender-Female, D/o Ram Pravesh Upadhyay, Resident of Village - Harkeshpur, Post - Dewal, P.S.- Gahmar, Distt - Ghazipur (U.P.).

... .. Petitioners

Versus

1. The State of Bihar.
2. Annu Kumari, aged about 23 Years, Gender-Female, Wife of Jai Krishna Upadhyay, D/o Surendra Mishr, At Present Resident of Village - Sarahula, Post - Harnathpur, P.S.- Mohania, Distt- Kaimur (Bhabua).

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Kumar Sunil, Advocate.
For the State	:	Mr. Anil Kumar Singh No. 1, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 498(A)/34 of the IPC and $\frac{3}{4}$ of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is unmarried Nanad and petitioner no. 2 is married Nanad of the victim. They are separate in mess and property from the husband of the victim. The case is triable by the Magistrate. The petitioners have further 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 learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur (Bhabua), in connection with Mohania P.S. Case No. 464 of 2017, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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