

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21477 of 2019

Arising Out of PS. Case No.-442 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Nagendra Sharma Son of Late Janardan Sharma Resident of Village- Kulhariya, P.S.- Koilwar, District- Bhojpur (Ara).
 2. Gyani Sharma Son of Late Janardan Sharma Resident of Village- Kulhariya, P.S.- Koilwar, District- Bhojpur (Ara).
 3. Kanchan Devi Wife of Gyani Sharma Resident of Village- Kulhariya, P.S.- Koilwar, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Kumar Sharma Son of Late Ram Khelawan Sharma Resident of Mohalla- Luxmi Villa Apartment 205 (C) Mahesh Nagar, P.S.- Patliputra, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Nath
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 05-04-2019 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-fulfillment 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 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) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna in connection with Complaint Case No. 442© of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the



matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Sudhir Singh, J)

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