

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85265 of 2019**

Arising Out of PS. Case No.-86 Year-2019 Thana- MAHILA P.S. District- Samastipur

1. SHIVRAM PATHAK Son of Late Baleshwar Pathak Resident of Village-Nirpur Mujauna, P.S.-Muffasil, District-Samastipur.
2. Bijendra Pathak @ Bijendra Kumar Pathak Son of Late Baleshwar Pathak Resident of Village-Nirpur Mujauna, P.S.-Muffasil, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                        |
|--------------------------|---|------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr.Ajay Kumar Thakur with<br>M/S Nilesh Kumar & Shashank Shekhar, Advs |
| For the Opposite Party/s | : | Mr.Zainul Abedin, APP                                                  |
| For the Informant        | : | Ms. Aprajita, Advocate                                                 |

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-01-2020                      Petitioners seek bail in anticipation of their arrest in connection with Mahila P.S. Case No. 86 of 2019 registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per FIR informant has physical relationship with brother of petitioners, namely, Rambali Kumar Pathak on the plea of marriage but the petitioners, who happen to be brothers of said Rambali Kumar Pathak started demanding of dowry and for that marriage could not take place.

Submission of learned counsel for the petitioners is that whole allegation is against Rambali Kumar Pathak and as petitioners happen to be his brothers, they have falsely been



implicated in this case.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioners.

In view of above facts and circumstances, let petitioners, in the event of surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Abhishek Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Samastipur, in connection with Mahila P.S. Case No. 86 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

**(Vinod Kumar Sinha, J)**

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