

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49444 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

KANTI DEVI W/o Shri Nawal Kishore Prasad R/o Village- Chamapapur,
Koirya Tola, P.S.- Gohrasahan, District- East Chmapran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Archana W/o Shri Ajit Kumar Presently living at Village- Latiyahi,
P.S.- Atapur, District- East Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Awadhesh Kumar Mishra
For the Opposite Party/s	:	Mr.Dashrath Mehta, APP
For the Informant	:	Mr. Anil Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the informant through

virtual mode.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of eight weeks.

The petitioner is apprehending her arrest in a case

registered under Sections 498A, 387/34 of the Indian Penal

Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing

torture upon the victim due to non-fulfillment of demand of

dowry.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is mother-in-law of the victim. She has 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 petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve 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., East Champaran at Motihari in connection with Complaint Case No. 72/2021 (Trial No. 1554/2021), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Pankaj/-

(Sudhir Singh, J)

U		T	
---	--	---	--



