

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61837 of 2021**

Arising Out of PS. Case No.-40 Year-2020 Thana- DUMARIYA District- Gaya

1. KALAWATI DEVI W/o Atamdey Saw Resident of Village- Pankara, P.S.-  
Dumaria, District- Gaya.
2. RITA DEVI W/o Randhir Prasad Resident of Village- Pankara, P.S.-  
Dumaria, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Priya Sharan Singh, Advocate  
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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

2      17-12-2021                      Heard learned counsel for the petitioners and learned  
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the  
defect(s), as pointed out by the office, within a period of eight  
weeks.

The petitioners are apprehending their arrest in  
connection with Dumaria P.S. case No.40 of 2020 registered  
under Sections 498A, 494, 313 of the Indian Penal Code.

Allegation against the petitioners is of committing  
torture and assault 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 petitioner No.1 is mother-in-law and petitioner No.2 is sister-in-law of the victim. There is no medical examination report in support of offence under Section 313 of I.P.C. Except for offence under Section 313 of I.P.C., rest of the offences are 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 facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Shri Subhas Kumar, J.M. 1<sup>st</sup> class, Sherghati, District Gaya in connection with Dumaria P.S. case No.40 of 2020, 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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