

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16284 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- MAHILA P.S. District- Bhojpur

=====

SEEMA DEVI Wife of Late Umesh Chandra Das Resident of Village-
Chiraiyatand Khas Mahal Road no. 3, Harijan Tola, P.S.- Jakkanpur, District-
Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2.. Guddiya Devi, D/O- Sri Vindanand Prasad, R/o- village Dharmagatpur,
P.O.- Mahuyar, P.S.- Sahpur, District- Bhojpur (Ara).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ram Ishwar Prasad, Advocate
For the Opposite Party/s	:	Mr.Harendra Prasad, APP
For O.P. No. 2	:	None

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 28-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Vide order dated 15.03.2019 passed by a Coordinate
Bench of this Court, notice was issued to O.P. No. 2 and the
petitioner was released on provisional anticipatory bail.

From perusal of Office notes dated 28.09.2021, it
appears that notice has been received by O.P. No. 2 personally.
However, when the matter is being taken up today, none appears
on behalf of O.P. No. 2

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.



In the light of order dated 15.03.2019, Office is directed to add name and address of O.P. No. 2 in the cause title of the present anticipatory bail application.

The petitioner is apprehending his arrest in Mahila Ara Bhojpur P.S. Case No. 142 of 2018 registered under Sections 498A, 379, 420, 120(b), 506, 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act pending in the Court of learned S.D.J.M., Ara, Bhojpur.

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 cousin 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/F.I.R.



Considering the aforesaid facts and circumstances,
the provisional bail granted to the petitioner vide order dated
15.03.2019 is hereby confirmed.

(Sudhir Singh, J)

Pankaj/-

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

