

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29297 of 2022

Arising Out of PS. Case No.-122 Year-2019 Thana- MAHILA P.S. District- Patna

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1. DHEERAJ KUMAR MISHRA @ DHEERAJ MISHRA S/o Ramayan Mishra Resident of Om Sai Colony, Raghunath Path, P.S.- Rupaspur, Dist- Patna.
 2. Nimisha Kumari @ Nimisha D/o Ramayan Mishra Resident of Om Sai Colony, Raghunath Path, P.S.- Rupaspur, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari W/o Late Niraj Kumar Mishra, D/o Bachcha Maharaj Residing at Mitra Mandal Colony, Anishabad, P.S.- Gardanibagh, Dist- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-09-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 498(A)/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

Allegation against petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry. Petitioner no. 1 is *devar* (brother-in-law) and petitioner no. 2 is *nanad* (sister-in-law) of the informant (victim).

It is submitted on behalf of petitioners that petitioner have been falsely implicated in this case. The petitioners have relied upon a judgment of this Court, reported in **2006 (3)**



P.L.J.R. 182 (Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. vs. The State of Bihar). Other co-accused persons have already been granted bail by this Court, vide order dated 24.08.2020 passed in Cr.Misc. No. 842 of 2020 and order dated 17.08.2022 passed in Cr.Misc. No. 13874 of 2022.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Mahila P.S. Case No. 122 of 2019 / G.R. Case No. 9236 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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