

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65927 of 2021

Arising Out of PS. Case No.-165 Year-2021 Thana- VAISHALI District- Vaishali

1. NIKKU DEVI Wife of Dinesh Giri Resident of Village - Rampur Milki, P.S.- Vaishali, District - Vaishali.
2. Sunil Giri Son of Ram Udgar Giri Resident of Village - Banaira, P.S.- Mahddinagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

The petitioners are apprehending their arrest in a case
registered under Sections 406 and 498/34 of the Indian Penal
Code.

Prosecution allegation, in short, is that wife of the
informant eloped with one person after taking away ornaments
and also cash amounting to Rs. Nine lakhs.

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 due to petty family dispute. The petitioner no. 1 happens to be wife of the informant. Due to torture being committed on her by the informant, she had left the house of the informant and she had come to her *naihar*. The petitioner no. 2 is maternal uncle of petitioner no. 1. Hence, the informant with intention to falsely implicate the petitioner and other family members of petitioner no. 1, instituted the present false case. So far Section 498 IPC is concerned, the same is bailable offence. So far Section 406 IPC is concerned, the same is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Vaishali P.S. Case No.



165/2021, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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