

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13874 of 2023

Arising Out of PS. Case No.-434 Year-2021 Thana- BYPASS District- Patna

MAMTA DEVI Wife of Sohan Kumar @ Sohan Chaudhary R/V-
Karmalichak, P.S.- Bypass, District- Patna (Tenant of Jagdish Pandit)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2023 Heard learned counsels for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending her arrest in connection with a case registered for the offence punishable under Sections 323, 498(A) and some other ancillary Sections of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the second wife of husband of the victim. Thrust of accusation is against the husband of victim. Petitioner is separate from the



victim. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further 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*. Petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of her arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna City, Patna in connection with Bypass PS case No. 434/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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