

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19695 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -COMPLAINT CASE District- SHEOHAR

- =====
1. Shankar Sah , son of Late Ram Hriday Sah
 2. Meena Devi @ Sheela Devi, wife of Sri Shankar Sah
 3. Siya Ballav Sah @ Siya Ballabh Sharay, son of Sri Shankar Sah
- Petitioner/s

Versus

1. State of Bihar
- Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh
For the Opposite Party/s : Mr. Rajendra Pd.Nat(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2016

Petitioners being parents and brother of the husband of the complainant are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general against entire in-laws family and the thrust of accusation is against the husband of the complainant. It is further submitted that petitioner No. 1 was never arrested and it is the error on record in the impugned order that petitioner No. 1 was arrested and subsequently released by the police. A statement to that effect has been made in para 16 of the petition which reads as follows:-

“That it is also relevant to mention that non-bailable warrant against these petitioners, in connection with present case, has been issued vide order dated 05.04.2016 passed by S.D.J.M, Sheohar. Due to that petitioners are apprehending their arrest. It is also humbly submitted that petitioner no. 1 has never been arrested and released on police bail. It is error on record.”

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Sub-Divisional Judicial Magistrate, Sheohar in connection with Complaint Case No. 171 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Shageer/-

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