

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45935 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -RIGA District- SITAMARHI

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1. Ramashish Sah, son of late Janak Sah.
 2. Vijay Sah.
 3. Sanjay Sah @ Sanjay Kumar. Both Sons of Ramashish Sah.
 4. Sundri Devi @ Sunder Devi Wife of Sanjay Sah.
 5. Kaushalya Devi @ Kaushaliya Devi, Wife of Vijay Sah. All are resident of Village- Ramnagar, P.S.- Riga, District- Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar.
2. Pinki Devi, Wife of Ajay Sah, daughter of Smt. Savitri Devi, resident of Village- Ramnagar, P.S.- Riga, District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Riga P.S. Case No.90 of 2015 for the offences instituted under Sections 323, 498A, 395, 363(A) and 406 of the Indian Penal Code.

The prosecution story, in brief, is that the complainant was married with accused Ajay Sah according to Hindu rites and customs. After the marriage, the complainant went to her sasural and lived happily for some days. The complainant raised objection then the accused Ajay Sah started assaulting the



complainant. In the meantime, the complainant gave birth of two children. It is further alleged that the accused Ajay Sah has spent the money of the complainant after selling the purchased land of the complainant. The accused Ajay Sah left alone the complainant then her mother, having seen the situation of the complainant, brought her with children to village Ramnagra. The complainant had kept Rs.60,000/- and some amount was given by her mother for negotiation of purchase of 7 Dhoor land, and gave Rs.1,11,000/- to Bharat Bhandari. The complainant started living with her mother in village Ramnagra. It is further alleged that on 22.11.2014, all the accused-persons started abusing the mother of the complainant. They have stated that they will not get the land registered in the name of the complainant. The accused-persons started breaking the box and assaulted the mother of the complainant, and took out Rs.20,000/- from the box and also the ornaments of mother of the complainant. It is further alleged that on 23.11.2014, the complainant was sleeping with her children then all the accused-persons came and took away the children of the complainant forcibly. The complainant was further assaulted by the accused-persons.

It is submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Petitioner

no.1 is father-in-law of the informant, petitioner nos.2 and 3 are brother-in-law of the informant and petitioner nos.4 and 5 are sister-in-law of the informant.

The main allegation has been made against the husband of the informant, i.e., Ajay Sah. Petitioners are separate in mess and property from the husband of the deceased.

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

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Riga P.S. Case No.90 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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