

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21603 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

- =====
1. Dewanti Devi wife of Bigan Sah
 2. Munna Sah son of Late Saryu Sah
 3. Poonam Devi wife of Munna Singh
 4. Vidya Sagar Sah @ Bholu son of Bigan Sah
 5. Munna Sah @ Munna Sao son of Late Moti Sah
 6. Neelam Devi wife of Munna Sah

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Kunwar wife of Late Jitendra Sah @ Kallu,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-05-2016 Heard learned counsels for the petitioners and the

State.

The petitioners being brother, brothers' wives, married sister and brother-in-law of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 342, 498A, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case is that the informant was married to Jitendra Sah 10 years prior to lodging of the present case and there were three children out of the wedlock but the husband of the informant died on 20.02.2015 due to suffering from HIV Positive. Subsequently, it was found that the informant and

younger son are also HIV Positive and for that the torture was inflicted and further demand of dowry was raised when all the accused persons driven out the informant from the matrimonial house.

It is submitted by learned counsel for the petitioners that in the background of partition dispute the accusation has been levelled and the petitioners are ready to allow the informant to enjoy her share of property along with her children in the matrimonial house.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sasaram, in connection with Sasaram (Mufassil) P.S. Case No.76/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing of separate affidavit by each petitioner to the effect that they will not disturb the informant to enjoy her share property in matrimonial house. It is expected that the learned Court below shall get the said affidavit

transmitted to the concerned police station to monitor that the petitioners are complying the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Ashwini/-

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