

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33166 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Shambhu Sah @ Shambhu Prasad, Son of Late Ram Singar Prasad,
2. Satya Devi W/o Shambhu Sah @ Shambhu Prasad,
3. Chandra Sah S/o Shambhu Sah @ Shambhu Prasad, All R/o Mohalla-
Tin Lalten Chowk, Bhola Babu Colony, Ward No.23, P.S.- Bettiah Town,
Dist.- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rupa Devi W/o Nikku Kumar Sah, D/o Dhruv Sah, R/o Village-
Sukhalahi, P.S.- Mainatand, Dist.- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 498A, 379/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

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. The case is triable by the Magistrate. The petitioner



No.1 is the father-in-law, petitioner No.2 is the mother-in-law and petitioner No.3 is the Devar of the victim respectively. They are separate in mess and property from the husband of the deceased. The petitioners have 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.**

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 petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six 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 C.J.M., Bettiah, West Champaran in connection with Bettiah Town P.S. case No.247 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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