

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38050 of 2017

Arising Out of PS.Case No. -830 Year- 2009 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

- =====
1. Manish Kumar, Son of Shiv Shankar Sharma,
 2. Shiv Shankar Sharma, Son of late Baleshwar Sharma, Both resident of Village- Dadpur, P.S.- Hulasganj, District- Jehanabad.

.... Petitioners

Versus

1. The State of Bihar.
2. Sandhya Kumari, W/o Late Antesh Sharma, Resident of Village- Dadpur, P.S.- Hulasganj, District- Jehanabad.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Jogendra Kumar, Advocate.

For the State : Smt Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 830/2009 for the offences instituted under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the complainant 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 with the witnesses alleged against the petitioners.



They have falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioners are in-laws of the complainant. They are separate in mess and property from the husband of the complainant. 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 has been submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 830/2009 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Jehanabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

