

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27733 of 2017

Arising Out of PS.Case No. -91 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Siya Sharan Sah, son of Janak Sah,
 2. Ram Bharos Sah @ Ram Shrestha Sah, son of Siya Sharan Sah,
 3. Navin Sah @ Navin Kumar, son of Ram Bharos Sah @ Ram Shrestha Sah, All are resident of Village- Bari Singhwahini, P.S.- Sonbarsa, District- Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar
2. Mamta Devi, wife of Sanjay Sah, resident of Bari Singhwahini, P.S.- Sobarsa, District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Hans Lal Kumar, Advocate
For the State : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sonbarsa P.S. Case No. 91 of 2017 for the offences instituted under Sections 494 and 498(A) of the IPC..

The prosecution story, in brief, is that the accused persons including the petitioners tortured the informant 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. The case is triable by the Magistrate. They have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the father-in-law of the victim, petitioner no. 2 is the brother-in-law of the victim and petitioner no. 3 is the nephew of the victim. They are separate in mess and property from the husband of the victim. 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 learned counsels for the informant and the State, it has been submitted that the petitioners are named in the F.I.R.

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 Sonbarsa P.S. Case No. 91/2017 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 C.J.M. Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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(Sudhir Singh, J)

