

Criminal Miscellaneous No.57254 of 2017

1. Dilip Kumar Sah, Son of Late Parmeshwar Sah.
2. Sohrawati Devi, Wife of Late Parmeshwar Sah.
3. Sham Babu Sah Son of Late Paremeshwar Sah.
4. Mina Devi, Wife of Sham Babu Sah. All are Resident of Village- Pushtikela, P.O. Dayalpur, Police Station- Akma, District Saran at Chapra.

.... Petitioners

Versus

1. The State of Bihar.
2. Guriya Kumari D/o Hari Kishore Sah Resident of Village- Bhagwanpur, Police Station Bhagwanpur, District- Siwan.

.... Opposite Parties

Appearance :

For the Petitioners : Mr. Pramod Ban Bihari Singh, Advocate.

For the State : Mr. Akbar Ali, A.P.P.

For the O.P. No. 2 : Mr. Raghav Prasad, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-02-2018 Vide order dated 07.12.2017, petitioner nos. 2, 3 and 4
have already been granted anticipatory bail by another co-ordinate
Bench of this Court.

Heard learned counsel for the petitioner no. 1, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A), 494, 323 and 506 of the IPC.

The prosecution story, in brief, is that the accused



persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has 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 State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner no. 1 Dilip Kumar Sah above named, in the event of arrest or 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Siwan, in connection with Complaint Case No. 308 of 2017, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

It is expected that petitioner no. 1 Dilip Kumar Sah shall co-operate in the trial.

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(Sudhir Singh, J)

