

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51607 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -MAHILA P.S. District- SAHARSA

=====

1. Kundan Kumar @ Kundan Kumar Sah S/o Panchanand Sah
2. Panchanand Sah S/o late Bhogi Sah
3. Girija Devi W/o Panchanand Sah All are resident of Village- Samda, P.S. Sour Bazar District- Saharsa, at Present residing in Village- Piyoli Fukarn Nagar House No. 36, Boumuni Maidan Gawhati, P.S. Chandbari, District- Kamrup, Assam.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sneha Kumari W/o Chandan Kumar, D/o Upendra Sah R/o Ghandhipath Ward No. 10, P.S. +District- Saharsa.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Ram Anurag Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2018 Counsel for the petitioners is permitted to make necessary correction in paragraph-1 as well as prayer portion of the petition in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

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

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment 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 due to petty family dispute. The case is triable by the Magistrate. The petitioners have 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 Complaint Case/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 learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Mahila P.S. Case No. 02 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

