

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62706 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Kripal Sah @ Ram Kripal Sah, Son of Late Khakhanu Sah,
2. Satte Sah, Son of Janak Sah,
3. Saroj Kumar, Son of Satte Sah, All residents of Vill- Purandaha Rajwara,
P.S.- Sonbarsa, Distt- Sitamarhi. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 25-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this application, the petitioners apprehend their arrest for the offences in connection with Sonbarsa P.S. Case No. 100 of 2017 punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Poonam Devi, daughter of the informant was married to Sanjeev Sah about five years ago but due to non-fulfillment of demand of dowry, she was being tortured by her mother-in-law and further the husband and the father-in-law were adamant for the demand and ultimately, she was killed and her dead body was being cremated by the petitioners and others.

Submission is of false implication and that at best it is a case under Section 201 IPC which is bailable. The petitioners



are only neighbors of in-laws of the deceased. The elder brother of husband of deceased and Gotni, namely, Rajeev Sah and Priyanka Devi have already been allowed pre-arrest bail by another Bench of this Court vide annexure-2 and further similarly situated accused Anil Sah, Sanjeev Sah and Biltu Sah have also been allowed bail vide Criminal Miscellaneous No. 61757 of 2017 by another co-ordinate Bench of this Court and, as such, these petitioners also deserve sympathetic consideration.

The learned APP fairly submits that other co-accused have allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioners, in case of their surrender or arrest within four weeks, from the date of receipt/production of a copy of this order shall be enlarged on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate-IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 100 of 2017 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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