

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38379 of 2018

Arising Out of PS. Case No.-156 Year-2017 Thana- SIDHWALIA District- Gopalganj

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1. Awadhesh Sah, Son of Suraj Sah,
 2. Suresh Sah, Son of Suraj Sah,
 3. Suraj Sah, Son of Late Mukhlal Sah,
 4. Shanti Devi, Wife of Suraj Sah, All are residents of Village-Sher Police Station- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Neetu Devi, Wife of Ajay Sah, Daughter of Mahendra Sah, Resident of Village- Amwa Vijaipur, Police Station- Kuchaikote, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 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, 341, 323, 504/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim 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 of witnesses alleged against the petitioners. The petitioners are in-laws. They 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 A.C.J.M. Vith Gopalganj in connection with Sidhwalia P.S. Case No. 156 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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