

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8310 of 2018

Arising Out of PS. Case No.-58 Year-2013 Thana- MAHILA PS District- East Champaran

1. Most. Pattiya, Wife of Late Harendra Sahani,
2. Sanjay Sahani, Son of Late Harendra Sahani,
3. Minta Devi, Wife of Sanjay Sahani, All resident of Village- Jitaura, Police Station- Madhuban, District- East Champaran.
4. Gopal Sahani, Son of Khakhanoo Sahani,
5. Heera Devi, Wife of Gopal Sahani, Both resident of Village- Majhar, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Basanti Devi, wife of Late Achchelal Sahani, r/o- village Jitawra, P.S.- Madhuban, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 07-05-2018 Heard learned counsel for the petitioners and learned

APP for the State. No body appears on behalf of O.P. No. 2

The petitioners are apprehending their arrest in a case registered under Sections 323, 341, 498A, 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 4th A.C.J.M., Motihari, East Champaran in connection with Mahila (Motihari) P.S. Case No. 58/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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