

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45589 of 2018

Arising Out of PS.Case No. -1408 Year- 1999 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Suresh Sah @ Suresh Sao, son of Ramautar Sah
2. Naresh Sah, son of Ramautar Sah Both residents of Village- Nagdha, P.S.
Mufassil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jitendra Sao, son of Ramsogarath Sah, resident of Village- Bihat Tola,
Jalepur, P.S. Barauni O.P. Fertilize, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 498(A), 304(B), 201/34 of the Indian
Penal Code.

Allegation against the petitioners is of committing torture and
caused death of the victim due to non-fulfillment of demand of
dowry.

It has been submitted on behalf of the petitioners that there is
no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case due to mistake of fact. For the same offence, two
cases were instituted; the first one is Police Case and the second



one is Complaint Case. In the Police Case, after trial, petitioners have been acquitted. The persons who were convicted in the Police Case, preferred an appeal before the Hon'ble High Court. The order of conviction was set aside and the matter was remitted back for reconsideration as there was no compliance of Section-210 of the Cr.P.C. and in the said circumstances, the process has been issued against the petitioners also along with other accused persons in the present Complaint Case.

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 Railway Judicial Magistrate, Barauni, Begusarai in connection with Complaint Case No. 1408C of 1999, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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