

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4166 of 2019

Arising Out of PS. Case No.-27 Year-2017 Thana- SAHIYARA District- Sitamarhi

-
1. Mukesh Sah @ Mukesh Kumar, aged about 26 years (Male), Son of late Vishwanath Sah
 2. Sudama Devi, aged about 50 years (Female) Wife of Late Vishwanath Sah
Both Resident of Village- Manariya , P.S.- Sahiyara, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioners and the

State.

The petitioners being the brother and mother of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A and 494 of the IPC and Section 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Bhagwanlal Sah, dated 14.09.2017, submitted to the Station House Officer, Sahiyara Police Station, is to the effect that the informant's daughter, Pinki Kumari was married with co-accused, Rakesh Kumar on 29.05.2015, but subsequent to marriage, further demand of dowry of motorcycle was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the petitioners and other in-laws family



members of the informant. Ultimately, on 16.12.2015, after snatching jewellerys and all belongings, the informant was driven out from her matrimonial house.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general. Thrust of accusation is against the husband of the informant and the petitioners claim to be separate from the husband of the informant.

Learned APP submits that the petitioners are named in the FIR.

Considering the nature of accusation and the fact that thrust of accusation is against the husband of the informant, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Sahiyara P.S. Case No. 27 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

