

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32545 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- MAHARAJGANJ District- Siwan

1. SAPNA DEVI @ POOJA DEVI W/o Lakshman Sah, R/o village- Haldi Hatta, P.S.- Maharajganj, District- Siwan.
2. Lakshman Sah @ Lakshman Kumar S/o Mantoo Sah, R/o village- Haldi Hatta, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Maharajganj P.S. Case No. 167 of 2018
registered for offence punishable under sections 304 (B), 34 of
the Indian Penal Code.

The marriage was solemnised with Ajit Sah and
allegation has been made that they have killed the deceased on
account of less payment of Rs.50,000/- by way of dowry.

The learned counsel for the petitioners submits that
the petitioner no. 1 is Nanad and petitioner no. 2 is Nandoi
having no affair with his brother or brother-in-law and



have wrongly been implicated in the present case.

Looking to the nature of relationship, facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 167 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure, the prosecution will have liberty to make a prayer for cancellation



of their bail before the court below.

(Shivaji Pandey, J)

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