

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35505 of 2019

Arising Out of PS. Case No.-75 Year-2018 Thana- MAHILA P.S. District- Banka

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1. Astha Nand Sah @ Ashya Nand Sah Son of Late Jagdish Sah Resident of Village- Lodhiya, P.S.- Panjwara, District- Banka.
 2. Naina Devi D/O Astha Nand Sah @ Ashya Nand Sah Resident of Village- Lodhiya, P.S.- Panjwara, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Chandana Kumari D/O Raghunandan Sah R/O Vill. Jamua, P.S. and District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for anticipatory bail apprehending their arrest in connection with Banka (Mahila) P.S. Case No. 75 of 2018 registered for the offences under Sections 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The allegation in the FIR, as per the informant is that she was married to the son of petitioner no. 1 about a year back. After about six months of the marriage the accused persons started to misbehave with her, stopped her food and medicine and assaulted her. It is alleged that her husband started making



demand of Rs. 2 lacs from her father for the purpose of starting a business. Further allegation is that they made an attempt to burn her. It is finally stated that she came to her parent's place and narrated the occurrence including the fact that as a result of assault she had aborted.

It is submitted by learned counsel for the petitioners that the petitioners are father-in-law and unmarried sister-in-law of the informant. The allegations as narrated in the FIR, are all false and concocted and no medical evidence has been produced in support of the allegations made by the informant.

Having heard the learned counsel for the petitioners and the learned APP for the State and on perusal of the record of the case, it transpires that the husband of the informant has already been enlarged on regular bail. In view of the facts and circumstances stated herein above as also in view of the fact that the petitioners are father-in-law and unmarried sister-in-law, the petitioners above named, in the event of their arrest or surrender in the court below within a period of six weeks from today in connection with Banka (Mahila) P.S. Case No. 75 of 2018 are directed to be enlarged on bail on each of them furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Sub Divisional Chief Judicial Magistrate, Banka
subject to the conditions as laid down in Section 438 (2) of
Criminal Procedure Code.

(Partha Sarthy, J)

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