

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76162 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- MAHILA P.S. District- Banka

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1. Thakur Sah, Son of Late Dhanman Sah.
 2. Prema Devi Wife of Thakur Sah.
 3. Dablu @ Diwakar @ Diwakar Kumar Son of Thakur Sah.
 4. Bablu @ Bal Govind Sah, Son of Thakur Sah. All are Resident of Village-Sagunia, P.S. Dhoraiya, District-Banka.
 5. Chanda Devi Wife of Bal Govind Sah.
 6. Bal Govind Sah, Son of Ram Pravesh Sah. Both Resident of Village-Gokula, P.S. Bandhuwa Kurawa Bounsi, District-Banka.

... .. Petitioners

Versus

1. The State Of Bihar,
2. Renu Devi, Wife of Ajay Kumar Sah, Daughter of Manoj Sah, Present address.-Village-Gangwara, P.S. Hansdiha, District-Dumka.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 29-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Banka (Mahila) P.S. Case no. 46 of 2018, registered under Sections 498(A), 341, 323, 504, 506/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

The accusation is that marriage of the informant



was performed with Ajay Kumar Sah on 18.06.2017 according to Hindu custom and she went at her Sasural. After one month, she was being tortured for demand of cash of Rs. One lakh and motorcycle then informant showed inability of her parents to fulfill the demand. Thereafter, her husband and inlaws and other relatives made attempt to kill her by sprinkling kerosene oil. Before some day, her husband Ajay Kumar Sah caused assault through fist and slaps in which she lost her two months' pregnancy.

Learned counsel for the petitioner Nos.1 and 2 are father-in-law and mother in law, petitioner No.3 and 4 are brother in law, whereas, petitioner No.5 and 6 are Nanad and Nandosi of the informant and they have falsely been implicated in this case due to ulterior motive. Further submission is that, in fact, Ajay Kumar Sah used to reside with the informant at his Sasural, while the informant used to visit at her sasural, but the Ajay Kumar Sah did not return to his house. Thereafter, Sanha and Informatory petition was given in the Court of Chief Judicial Magistrate on 09.05.2018 and later on, Complaint Case No. 1065 of 2018 was instituted against the informant and others about the kidnapping of Ajay Kumar Sah, who is still traceless.



Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Banka in connection with Banka (Mahila) P.S. Case No. 46 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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