

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75166 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA PS District- Khagaria

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1. Parmanand Sah @ Parmanand Sahu, Son of Late Bhikho Sah,
 2. Jitendra Kumar @ Jitendra Kumar Sah, Son of Parmanand Sah,
 3. Sachit Kumar @ Sochit Kumar, Son of Parmanand Sah,
 4. Gauri Devi, Wife of Parmanand Sah,
 5. Khushbu Kumari, Daughter of Parmanand Sah, All Resident of Village- Bhadas, Police Station- Mufassil, Disrict- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners, being the parents, brother and sister of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323 and 498A/34 of the Indian Penal Code.

The prosecution case is that the informant's marriage was performed with the co-accused Dharmendra Sah on 14.06.2010, but subsequently further dowry demand of Rs. 3,00,000/- was made and due to non-fulfillment of the same, torture was inflicted upon the informant. It is further alleged that initially a case was lodged before Mahila Help Line, but the matter could



not be resolved between the parties.

It is submitted by learned counsel for the petitioners that husband of the informant is a disabled person, so the informant does not want to reside with husband. As a result, the husband of the informant had registered a case against the informant being Khagaria (Mufassil) P.S. Case No. 784 of 2017. It is further submitted that informant is also facing prosecution under Sections 323 and 498A/34 of the IPC in Complaint Case No. 369C of 2017, lodged by the Sister-in-Law of the informant. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation of torture is against the petitioners.

Considering the thrust of accusation against the husband of the informant and accusation is of omnibus and general in nature, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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



learned **Judicial Magistrate-Ist Class, Khagaria** in connection
with **Khagaria (Mahila) P. S. Case No.33 of 2018**, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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