

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 74411 of 2019**

Arising Out of PS. Case No.-851 Year-2017 Thana- KHAGARIA COMPALINT CASE  
District- Khagaria

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1. SHIV SHANAKAR SHARMA @ SHIV KUMAR SHARMA Son of Bitto Sharma Resident of Village - Bada Tani, P.O.- Laskhri, P.S.- Udakishunganj, Distt.- Madhepura.
  2. Rekha Devi W/o Shiv Shankar Sharma Resident of Village - Bada Tani, P.O.- Laskhri, P.S.- Udakishunganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jainendra Kumar  
For the Opposite Party/s : Mr.Arun Kumar

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

**2      02-12-2019**                      Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in a case registered under Sections 323, 307, 498A/34 of Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

It is submitted by petitioners' counsel that allegations made in the complaint petition are false. The petitioners, who are mother and father-in-law, are separate in their living, with that of the complainant and her husband. No specific allegations have been made against the petitioners and by virtue of their relation with the husband of the complainant, they have falsely been implicated in this case.



Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioners' counsel.

Let the petitioners above named, in the event of their arrest or surrender within four weeks from today, shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Khagaria in Complaint Case No 85/C of 2017 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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