

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81776 of 2019**

Arising Out of PS. Case No.-119 Year-2019 Thana- BIHRA District- Saharsa

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1. SUBHASH SAH Son of Late Lachchan Sah Resident of Village- Panchgachhia, P.S.- Bihra, District- Saharsa.
 2. Rani Devi Wife of Subhash Sah Resident of Village- Panchgachhia, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-12-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being the parents of the husband of the victim, are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case as per the written report of Buchani Devi submitted to the S.H.O., Bihra Police Station is to the effect that the daughter of the informant Punam Kumari was



married with Jawahar Sah in 2018, but subsequent to the marriage, on the eve of the marriage of the sister of the husband of the victim, Rupees Two Lacs were demanded when Rs.1,50,000/- was paid, but even then, they used to torture the daughter of the victim. It is further alleged that ultimately on 16.07.2019, the daughter of the informant was throttled by the accused persons named in the FIR.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the entire in-laws family members, including the petitioners. Moreover, the thrust of accusation is against the husband of the victim and there is no eye witness to the occurrence. 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 petitioners are named in the FIR with specific accusation.

Considering the thrust of accusation against the husband of the victim, petitioners being old people and in view of the fact that they are ready to co-operate in the investigation, 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 CJM, Saharsa, in connection with Bihra P.S. Case No.119 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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