

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8646 of 2020

Arising Out of PS. Case No.-332 Year-2019 Thana- NAANPUR District- Sitamarhi

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1. SANJAY SAH @ SANJAY KUMAR SAH S/o Shivji Sah R/o village- Mohni, P.S.- Nanpur, District- Sitamarhi
 2. Ajit Kapar @ Ajit Kumar S/o Shivji Sah R/o village- Mohni, P.S.- Nanpur, District- Sitamarhi
 3. Phoolo Devi W/o Shivji Sah R/o village- Mohni, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abani Kumari D/o Ram Bharos Sahni R/o village- Batra, P.S.- Nanpur, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with Nanpur P. S. Case no. 332 of 2019 instituted for the offence under Section(s) 498A, 341,323,504/34 of the Indian Penal Code and Section 3/4 of the D. P. Act.

The petitioner Nos. 1 and 2 are ‘*Bhaisurs*’ and petitioner no.3 is mother-in-law of the informant.

It is submitted by the petitioner’s counsel that they are living separately and had no concern with the affairs of the



informant and her husband and have been implicated in this case falsely by alleging general and omnibus acts against all the accused persons.

From perusal of the order dated 23.11.2019, passed by the Court of S.D.J.M. Pupri (Annexure-3), it is apparent that the husband, after being in custody for one month, has also been allowed regular bail on an undertaking that he will maintain the informant (wife) with honour and dignity.

The learned APP for the State opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the SDJM Pupri at Sitamarhi, in connection with Nanpur P. S. Case no. 332 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) 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.

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

(Madhuresh Prasad, J)

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