

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18457 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- MAHARAJGANJ District- Siwan

1. DHARMENDRA SAH @ DHARMENDRA KUMAR SAH Son of Late Rambadan Sah @ Rambachan Sah @ Ladu Sah Resident of Village - Siktia, P.S.- Maharajganj, District- Siwan
2. Manti Devi @ Malti Devi @ Malti Kumari Wife of Dharmendra Kumar Sah Resident of Village - Siktia, P.S.- Maharajganj, District- Siwan
3. Fulkunwar Kunwar @ Fulkunwar Devi Wife of Late Rambadan Sah @ Rambachan Sah @ Ladu Sah Resident of Village - Siktia, P.S.- Maharajganj, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Counsel for the petitioners submits that the petitioner No.1 has been taken into judicial custody. Hence he seeks permission to withdraw the present application on behalf of petitioner No.1.

Permission is accorded.

The application on behalf of petitioner No.1. is dismissed as withdrawn.



Heard learned counsel for the petitioners No.2 and 3 and learned APP for the State.

The petitioners No.2 and 3 are apprehending their arrest in a case registered under Sections 341, 323, 307, 494, 120(B), 504/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners abused and assaulted the informant.

It has been submitted on behalf of the petitioners No.2 and 3 that the petitioners No.2 and 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners No.2 and 3. The petitioners No.2 and 3 have falsely been implicated in the present case for a petty reason. The matter relates to family dispute. There is no injury report in support of offence under Section 307 of I.P.C.

On behalf of the State, it is submitted that the petitioners No.2 and 3 are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners No.2 and 3, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Additional Chief Judicial Magistrate-V, Siwan in



connection with Maharajganj P.S. case No.269 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners No.2 and 3 will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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