

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15787 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- SUPPI District- Sitamarhi

1. ANAND SAHNI @ ANAND KUMAR Son of Nagendra Sahni Resident of Village - Jamua East, P.S.- Baiganiya, District- Sitamarhi
2. Chhotelal Sahni Son of Kailash Sahni Resident of Village - Madhu Chapra, P.S. and District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 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.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 342, 323, 324, 307, 498A, 379/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment of demand of dowry. It is also alleged that the accused persons having tied the mouth of



the informant/victim, tried her to drown in a river but anyhow, she opened her mouth and raised alarm and due to arrival of villagers all the accused persons fled away. It is also alleged that her husband and Dewar (petitioner No. 1) entered the house of the informant and assaulted her by means of lathi on her head.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The specific allegation of assault is against the petitioner No. 1 and co-accused Birwal Sahani. There is no allegation of assault against the petitioner No. 2.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Taking note of this fact that there is allegation against the petitioner No. 1 of assaulting the informant, his prayer for anticipatory bail is rejected.

So far petitioner No. 2 is concerned, considering the fact that there is no allegation of assault against him and also the lockdown, the petitioner No. 2, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail



on his personal bond to the satisfaction of learned Chief
Judicial Magistrate, Sitamarhi in connection with Suppi P.S.
Case No. 122 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 petitioner shall
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)

A.K.V.//-

U		T	
---	--	---	--

