

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25054 of 2019

Arising Out of PS. Case No.-757 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. BIPIN SHARMA Son of Late Bhulan Sharma Resident of Village- Manguraha, P.S.- Gaunaha, District- West Champaran Bettiah.
 2. Santosh Sharma Son of Late Bhulan Sharma Resident of Village- Manguraha, P.S.- Gaunaha, District- West Champaran Bettiah.
 3. Musmat Santi Devi Wife of Late Bhulan Sharma Resident of Village- Manguraha, P.S.- Gaunaha, District- West Champaran Bettiah.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gita Devi @ Soni Devi Daughter of Shivnandan Sharma, wife of Bipin Sharma Resident of Village- Harinagar, P.S.- Ramnagar, District- West Champaran Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 03-02-2020 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bagaha Complaint Case No. 757-c of 2016 registered under
Section 498(A) of the Indian Penal Code.

Learned counsel submits that the petitioners who are
the husband, brother-in-law and mother-in-law of the complainant,
have falsely been implicated in this case. Petitioners never demanded
any dowry nor tortured the complainant. Petitioner, being the
husband, is still ready to keep the complainant with full honour and



dignity. Petitioners have no criminal antecedent.

Learned Additional Public Prosecutor appearing for the State submits that petitioner No. 1, Bipin Sharma is the husband of the complainant and there is direct allegation against him of demand of dowry and torture and he, being the husband, had the responsibility to keep the complainant with honour and dignity in which he has failed and as such he does not deserve to be granted the privilege of Anticipatory Bail.

Considering the facts and circumstances of the case, let petitioner No. 2 and 3 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the / in connection with / subject to the condition as laid down under Section 438(2) of the Cr. P.C.

As regards, petitioner No. 1, considering the nature of allegations leveled him and the submission of learned additional public prosecutor, this court is not inclined to grant him the privilege of Anticipatory Bail. The same is accordingly rejected.

(Arvind Srivastava, J)

K.K.RAO/-

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