IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34314 of 2020

Arising Out of PS. Case No.-153 Year-2020 Thana- SHIVSAGAR District- Rohtas

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1. KAMESHWAR SHARMA S/o Guleshwar Sharma R/o village- Sikuhia, P.S.- Biddi (O.P.) Shivsagar, District- Rohtas at Sasaram
2. Chandan Sharma S/o Kameshwar Sharma R/o village- Sikuhia, P.S.- Biddi (O.P.) Shivsagar, District- Rohtas at Sasaram

... ... Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sarita Devi W/o Shyamlal Sharma R/o village- Sikuhi, P.S.- Biddi (O.P.) Shivsagar, District- Rohtas at Sasaram

... ... Opposite Party/s

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Appearance :
For the Petitioners : Mr.Raghunandan Kumar Singh, Advocate
For the State : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 504, 506, 498(A), 307/34 of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment of demand of dowry.

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

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have falsely been implicated in the present case. The petitioner No.1 is the brother-in-law of the victim and petitioner No.2 is the nephew of the victim. They are separate in mess and property from the husband of the victim. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners. The nature of injury is said to be superficial.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge 6, Rohtas at Sasaram in connection with Shivsagar P.S. case No.153 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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