

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58577 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- JHAJHA District- Jamui

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1. Sobhan Yadav, aged about 68 years, M, Son of Bajo Yadav, R/o village - Baliyo, P.S.- Jhajha, Distt.- Jamui.
 2. Dharendra Yadav, aged about 27 years, M, Son of Sobhan Yadav, R/o village - Baliyo, P.S.- Jhajha, Distt.- Jamui.
 3. Jitendra Yadav, aged asbout 19 years, M, Son of Sobhan Yadav, R/o village - Baliyo, P.S.- Jhajha, Distt.- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party	:	Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Further, learned counsel for the petitioners is permitted to make necessary correction in the prayer portion of the bail application, in course of the day.

The petitioners are apprehending their arrest in connection with Jhajha P.S. Case No. 123/2021 for the offence registered under Sections 341, 323, 308 and 498(A)/34 of the



I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioners tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 1 is the father-in-law and petitioner nos. 2 and 3 are brothers-in-law of the victim. No specific allegation in respect of offence under Section 308 of the I.P.C. is made out. Except for offence under Section 308 of the I.P.C. rests of the offences are triable by the Magistrate. The petitioners have further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest



or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Jhajha, in connection with Jhajha P.S. Case No. 123 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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