

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60188 of 2021

Arising Out of PS. Case No.-19 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. Mohan Lal Sharma @ Mohan Sharma, aged about 62 years, Male, S/O Late Ramji Sharma, R/O Village-House No. S-5/126, Ramre Pur Nakki Ghat Sarnath, P.S-Sarnath, District-Varanasi.
2. Satyam Sharma, age 28 years, Male, S/O Mohan Lal Sharma, R/O Village-House No. S-5/126, Ramre Pur Nakki Ghat Sarnath, P.S-Sarnath, District-Varanasi.
3. Mala Kumari @ Dip Mala Sharma, age-32 years, Female, D/O Mohan Lal Sharma, R/O Village-House No. S-5/126, Ramre Pur Nakki Ghat Sarnath, P.S-Sarnath, District-Varanasi.
4. Krishna Devi, age 60 years, Female, W/O Mohan Lal Sharma, R/O Village-House No. S-5/126, Ramre Pur Nakki Ghat Sarnath, P.S-Sarnath, District-Varanasi.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party	:	Mr. Umeshanand Pandit, 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.

The petitioners are apprehending their arrest in connection with Bhabua (Mahila) P.S. Case No. 19 of 2021 for the offence registered under Sections 498(A)/34, 323 of the I.P.C. and $\frac{3}{4}$ of the D.P. Act.



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, petitioner no. 2 is the brother-in-law (Dewar), petitioner no. 3 is the sister-in-law (Nanad) and petitioner no. 4 is the mother-in-law of the victim. The case is 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. Kaimur at Bhabua, in connection with Bhabua (Mahila) P.S. Case No. 19 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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