

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87415 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- NAYAGAON District- Saran

1. BIRENDRA SAHNI Son of Late Rameshwar Sahani Resident of Village - Nayagaon, Rasulpur, P.S.- Nayagaon, Distt.- Saran, Chhapra.
2. Mithilesh Sahani @ Mithlesh Kumar Sahani Son of Birendra Sahani Resident of Village - Nayagaon, Rasulpur, P.S.- Nayagaon, Distt.- Saran, Chhapra.
3. Kanchan Devi Wife of Birendra Sahani Resident of Village - Nayagaon, Rasulpur, P.S.- Nayagaon, Distt.- Saran, Chhapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

The petitioners are apprehending their arrest in a case registered under Sections 498A, 323, 302 and 201 of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfillment 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 have falsely been implicated in the present case due to petty family dispute. In this case, the charge-sheet has been submitted for offence under Section 498(A)/34 of the Indian Penal Code. As far as allegation of 302 IPC is concerned, the same has been found to be false. The petitioner No. 1 is father-in-law, petitioner No. 2 is brother-in-law, petitioner no. 3 is gotni, of the deceased. Offence as per charge-sheet submitted by the Police is triable by the Magistrate.

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

Considering the aforesaid facts and circumstances, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Chief Judicial Magistrate, Saran, Chapra in connection with Nayagaon P.S. Case No. 126/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of



eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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