

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80236 of 2019

Arising Out of PS. Case No.-266 Year-2019 Thana- DHAMDAHA District- Purnia

1. Kundan Kumar @ Kundan Sah Son of Rajesh Sah, Resident of Chandrahi, P.S. Dhamdaha, District - Purnea.
2. Puspa Devi Wife of Rajesh Sah, Resident of Chandrahi, P.S. Dhamdaha, District - Purnea.
3. Rajesh Sah Son of Bishundeo Sah, Resident of Chandrahi, P.S. Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 03-03-2021 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Dhamdaha P.S. Case No. 266 of 2019 registered for offence punishable under sections 498A, 302/34 of the Indian Penal Code.

Allegation has been made that the marriage of the informant's daughter, namely, Manisha Kumari was solemnized with Nandan Sah. After six months, Nandan Sah along with victim lady went to Mahkhar where she was left by him and he refused to carry her matrimonial house. After long period, she



was brought to her matrimonial house where all accused persons started torturing upon her and on that account she had fallen ill and thereafter, she was brought to Purnea from where for better treatment, she was referred to Patna where she was treated in the hospital of Dr. Bimal Kumar and ultimately she died during treatment.

Learned counsel for the petitioners submits that petitioner no. 1 is brother-in-law, petitioner no. 2 is mother-in-law and petitioner no. 3 is father-in-law of the victim lady and she died due to liver problem, but the case diary shows that on account of torture, she had fallen ill and she died.

Looking to the relationship, let the petitioners above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No.266 of 2019, subject to condition as laid down under section 438 (2) Cr.PC and further condition is that one of the bailors of the petitioners shall be their close relative. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make



themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioners.

(Shivaji Pandey, J)

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