

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35049 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- SUPPI District- Sitamarhi

1. PHEKAN SAH @ FEKAN SAH SON OF DULARCHAN SAH R/O VILLAHGE- MOHANI MANDAL, P.S.- SUPPI, DISTRICT- SITAMARHI.
2. SUNIL SAH @ SUNIL KUMAR SON OF PHEKAN SAH R/O VILLAHGE- MOHANI MANDAL, P.S.- SUPPI, DISTRICT- SITAMARHI.
3. SUSHIL SAH @ SUSHIL KUMAR SON OF PHEKAN SAH R/O VILLAHGE- MOHANI MANDAL, P.S.- SUPPI, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 25-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 3 has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to him.



In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 3.**

So far as petitioner nos. 1 and 2 are concerned, they apprehend their arrest in connection with Suppi P.S. Case No.285 of 2020 registered for offence punishable under sections 341, 342, 323, 498(A), 494, 504 and 506/34 of the Indian Penal Code.

As per allegation, the marriage of the informant was solemnized with co-accused Rama Shankar Rai. The allegation is that all the accused persons tortured her and at their instance, the husband of the informant solemnized his second marriage.

The learned counsel for the petitioners has submitted that petitioner no. 1 is father-in-law and petitioner no. 2 is *Bhaisur* of the informant, they have no concern with day-to-day routine of the couple, they have falsely been implicated since they are close relative of the husband of the informant and they are the persons of clean antecedent.

Considering the above-mentioned facts and circumstances, **let the above-named petitioner nos. 1 and 2** in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Suppi P.S. Case No.285 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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