

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23456 of 2023**

Arising Out of PS. Case No.-583 Year-2019 Thana- MADHAURAH District- Saran

- 
1. Ajay Kumar Sah @ Ajay Sah, aged about 28 years, Male, Son of Ram Lagan Sah, Resident of village - Senduari, P.S.- Marhowrah, District - Saran.
  2. Vijay Kumar, aged about 25 years, Male, Son of Ram Lagan Sah, Resident of village - Senduari, P.S.- Marhowrah, District - Saran.

... .. Petitioners

Versus

1. The State of Bihar.
2. Lalita Devi, aged about 26 years, Female, Wife of Ajay Kumar Sah @ Ajay Sah, daughter of Satya Narayan Sah, Resident of village - Senduari, P.S.- Marhowrah, District-Saran, At present village - Bhualpur, P.S.- Marhowrah, District - Saran.

... .. Opposite Parties

---

**Appearance :**

|                    |   |                                  |
|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Sanjay Kumar Singh, Advocate |
| For the State      | : | Mr. Rana Randhir Singh, A.P.P.   |

---

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      21-06-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are apprehending their arrest in a case  
for the offence registered under Sections 341, 323, 498(A)/34 of  
the I.P.C. and Section 3/4 of the D.P. Act.

Allegation against the petitioners is of committing  
torture upon 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.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to petty family dispute. The petitioner no. 1 is the husband and petitioner no. 2 is the brother-in-law (Dewar) 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, 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 learned court below/concerned court, in connection with Marhowrah P.S. Case No. 583 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioners are directed to co-operate during the



trial. If the petitioners do not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioners.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

**(Sudhir Singh, J)**

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

