

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27313 of 2023

Arising Out of PS. Case No.-730 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Bilas Sah @ Vilas Sah Son of Janak Sah Resident of Village-Manapur, P.S. Bela, District-Sitamarhi
 2. Shail Devi Wife of Bilas Sah @ Vilas Sah Resident of Village-Manapur, P.S. Bela, District-Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dulari Devi Wife of Bilas Sah @ Vilas Sah Resident of Village-Manapur, P.S. Bela, District-Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pushpendra Kumar Singh, Advocate
For the State	:	Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 498A of the Indian Penal Code.

Allegation against the petitioners is of committing torture upon the victim due to non-fulfilment 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. The case is triable by



the Magistrate. Petitioner No.1 is the husband of the victim and petitioner No.2 is alleged to be second wife of petitioner No.1. The petitioners have 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 State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below/concerned Court in connection with Trial No.2295 of 2021 arising out of Complaint case No.730 of 2020, 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)

Narendra/-

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