

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33169 of 2023

Arising Out of PS. Case No.-181 Year-2019 Thana- BARHARA KOTHI District- Purnia

1. LALAN SHARMA @ LALAN KUMAR SHARMA Son of Giranand Sharma Resident of village - Nipania, P.S. - Barhara, Distt. - Purnea - 854202 (Bihar)
2. Naresh Sharma Son of Adhik Lal Sharma Resident of village - Nipania, P.S. - Barhara, Distt. - Purnea - 854202 (Bihar)
3. Meena Devi Wife of Giranand Sharma Resident of village - Nipania, P.S. - Barhara, Distt. - Purnea - 854202 (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 498A, 323/34 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioners along with other family members committed torture on the informant's daughter due to non-fulfilment of dowry demand.

Petitioner no.1 is husband of the victim. While denying the allegations, it is submitted that the victim had extra marital affairs with some other person. She left the matrimonial house on 7.8.2019 and performed Court marriage with some one else. That apart, the case is triable by the Magistrate.



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.**

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let these petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea in Barhara Police Station Case No. 181 of 2019, subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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