

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24249 of 2024

Arising Out of PS. Case No.-225 Year-2019 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Sadhna Kumari @ Sdhna Debi, wife of Lal Babu Sah, Village- Murliahi Ps- Pandaul Dist- Madhubani
 2. Meera Devi, D/o- late Ram Prasad Sah, Village- Murliahi Ps- Pandaul Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi, wife of Lalbabu Sah, D/o- Arjun Sah, village- Baghant Ps- Manigachhi Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Complaint Case No. 225 of 2019, registered for the offences under Sections 494, 341, 323, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, marriage of the complainant was solemnized with co-accused Lalbabu Sah and the petitioners are his second wife and sister, respectively. Allegation against them is that of demanding Rs. 1,00,000/- as dowry and torturing



and treating the complainant with cruelty.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Co-accused Lalbabu Sah had no son from his first wedlock and with the consent of the complainant, Lalbabu Sah solemnized second marriage with petitioner no.1 but just after a month of the second marriage the quarrel started between two wives leading to filing the complaint case. Allegations of the complainant is that the co-accused persons tried to kill her is completely false and concocted. Petitioner no.1 belongs to a very poor family and for this reason she has been married to Lalbabu Sah. Otherwise there was no occasion for her to marry Lalbabu Sah as a second wife. Petitioner no.2 is married '*Nanad*' of the complainant and she resides at her matrimonial home. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of allegation against the petitioners and also considering the clean antecedent of the petitioners coupled with possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on



furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga/concerned court in connection with Complaint Case No. 225 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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