

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82297 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- BELA District- Sitamarhi

1. Md. Irshad Son Of Abdul Mannan Resident Of Village - Shuukki Mushaharniya, P.S. - Parihar, District - Sitamarhi
2. Dilshad Son Of Abdul Mannan Resident Of Village - Shuukki Mushaharniya, P.S. - Parihar, District - Sitamarhi
3. Sharfaraj Son Of Abdul Mannan Resident Of Village - Shuukki Mushaharniya, P.S. - Parihar, District - Sitamarhi
4. Shahnawaj Son Of Abdul Mannan Resident Of Village - Shuukki Mushaharniya, P.S. - Parihar, District - Sitamarhi
5. Shabana Khatoon D/O. Abdul Mannan Resident Of Village - Shuukki Mushaharniya, P.S. - Parihar, District - Sitamarhi
6. Jaida Khatoon @ Zayada @ Johida Wife Of Pachakauri Resident Of Village - Parasa, P.S. - Bela, District - Sitamarhi
7. Md. Sajan @ Sajan Son Of Kamre Alam Resident Of Village - Parasa, P.S. - Bela, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bela P.S. Case No. 243 of 2021, registered for the offences punishable under Sections 354(d)/34 of the Indian Penal Code and Section 66C, 67, 67(A) of I.T. Act.

3. The petitioner no. 1 is said to be the husband of the informant. As per allegation, petitioners used to torture the



informant for non-fulfillment of dowry demand, due to which the informant tried to commit suicide.

4. Learned counsel for the petitioners has submitted that admittedly the informant is the wife of the petitioner no. 1. She fled away from house and solemnized her second marriage with one Ranjan Kumar without taking the decree of divorce. The members of the defense side filed FIR against the said Ranjan Kumar for kidnapping of the informant. Learned counsel further submits that they have falsely been implicated in this case.

5. Learned APP for the State, Shri J.N. Thakur has vehemently opposed the prayer for bail.

6. F.I.R itself shows that the informant solemnized her second marriage without taking divorce from her first husband (petitioner no. 1). The petitioner no. 1 has also lodged a case against second husband of the informant for kidnapping of the informant under Section 366 of the I.P.C.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned S.D.J.M, Sitamarhi in connection with
Bela P.S. Case No. 243 of 2021, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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