

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.537 of 2022

Arising Out of PS. Case No.-1677 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. MISHRILAL SAH Son of Narayan Sah Resident of Village- Laruaari, P.S.-
Parihar, District- Sitamarhi.
 2. Shyam Kumar Son of Mishrilal Sah Resident of Village- Laruaari, P.S.-
Parihar, District- Sitamarhi.
 3. Pramod Kumar Son of Mishrilal Sah Resident of Village- Laruaari, P.S.-
Parihar, District- Sitamarhi.
 4. Pappu Kumar Son of Mishrilal Sah Resident of Village- Laruaari, P.S.-
Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sankar Sah Son of Shanker Sah Resident of Village- Bariyarpur, P.S.-
Sitamarhi, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Mr. BISHWESHWAR RAM

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

20 19-03-2026 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the complainant.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 384 of the
Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that he was married to Sanju Devi in the year 2003, but



Sanju Devi after 15-20 days of marriage left for her parental home and started residing there, further 10 years thereafter Sanju Devi instituted Parihar P.S. Case No.239 of 2013 under Section 498A of the Indian Penal Code against the informant and others, it is next alleged that the accused persons forcibly captured his house and Sanju gave all the jewellery of his father to Mishrilal and complainant was ousted from his house, next alleges that Sanju with help of criminals may kill him, hence complainant filed Divorce Case No.51/2017 while Sanju filed Maintenance Case No.60/2017, next alleges that he on 06.10.2017 went to his village and protested about the wrong deeds of the accused persons when he was assaulted and Sanju threatened to withdraw the Divorce case or he will be killed and also said that she will die in his house and his entire family members would be implicated.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that petitioner no.1 is father-in-law of complainant and petitioner no.2, 3 and 4 are sons of petitioner no.1. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of matrimonial dispute, cases have been filed by both



the sides. It is also submitted that complainant is on bail in the case instituted by Sanju under Section 498A of the Indian Penal Code and other Sections. It is next submitted that in order to coerce Sanju Devi into submission, the present false case came to be instituted.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No.C-1/1677/2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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