

In the Court of Sessions Judge, Darbhanga, Bihar.
A.B.P.No.1178 of 2019

1.Asharfi Sah s/o late Shibu Sah
 2.Manju Devi w/o Asharfi Sah
 3.Vikash Sah s/o Asharfi Sah
 4.Monika Devi w/o Vikash Sah
 5.Sangita Kumari d/o Asharfi Sah
 6.Suresh Sah s/o late Chalitra Sah
 7.Biseshwar Sah s/o late Chalitar Sah-----Petitioners.

Vs.

1.The State of Bihar-----Opposite Party.

For the petitioners : Mr.Jumrati Hussain, learned Advocate.

For the O.P.(State) : Mr.Nasiruddin Haider, learned P.P..

ORDER

06-09-2019. This is an application for anticipatory bail U/S 438 Cr. P. C. filed on behalf of the petitioners namely;1.Asharfi Sah, 2.Manju Devi, 3.Vikash Sah, 4.Monika Devi, 5.Sangita Kumari, 6.Suresh Sah and 7.Biseshwar Sah, who are apprehending their arrest in connection with Simri P.S. Case No.73 of 2019 offence U/Ss.341, 323, 498A/34 of the IPC and section 34 Dowry Prohibition Act.

Heard learned counsel for the petitioners and learned P.P. for the State.

As per FIR, accused-petitioners carry allegation of torturing the informant-victim for non-fulfillment of demand of dowry.

Learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence and falsely implicated in the case on mere suspicion. There is no specific allegation on accused-petitioners. The petitioners are in-laws. The petitioners belongs from very respectable family having no criminal antecedent and there is no chance of their absconding and tampering with the evidence.

On the other hand, learned P.P. for the state opposed the prayer for bail.

From perusal of record, it appears that accused-petitioners are named in the FIR. According to the FIR informant Poonam Devi is the wife of Mahesh Sah . Accused-petitioners are parents-in-law of informant and family members of husband of informant. There is no specific allegation on accused-petitioners. Husband is not petitioner in this case. No injury report is on record.

Under above noted facts and circumstances of the case, the instant application for anticipatory bail is allowed and it is ordered that in the event of her arrest or surrender before the court below within fortnight from the receipt of this order, the petitioners shall be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below subject to the condition under the provision of Section 438(2) of the Cr. P. C.

(Dictated)

Sessions Judge,

Darbhangha.

06-09-2019