

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17489 of 2015

Arising Out of PS.Case No. -989 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

- =====
1. Kishan Dev Bishwas @ Krishan Deb Bishwas, S/o Late Jyot Lal Bishwas,
 2. Sushila Devi, W/o Kishan Dev Bishwas,
 3. Phulo Devi, W/o Ranjeet Yadav,
- All are resident of Gamharia, P.S. - Terhagachh, District - Kishanganj.
4. Puja Devi @ Pooja, W/o Bipin Yadav @ Bipen Yadav, Resident of Belbari, P.s. & District - Araria.

.... Petitioners

Versus

1. The State of Bihar.
2. Rinki Devi, W/o Amardeep Bishwas, D/o Birendra Yadav, R/o Village - Gamahari, P.S. - Terhagachh, District - Kishanganj at present village - Aamgachi, P.S. - Tarabari, District - Araria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rounak Kumar Singh "Pankaj"
For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 04-09-2015 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for opposite party no.
2.

The petitioners seek pre-arrest bail in connection
with Complaint Case No. 989C/2014 registered under Sections

323, 504, 506, 364, 379 and 498-A read with 34 of the Indian Penal Code.

The complainant happens to be daughter-in-law of petitioner nos. 1 & 2 and sister-in-law of petitioner nos. 3 and 4. The allegation made in the complaint is that the petitioners had taken away her husband on the pretext of treatment and, thereafter, he did not return.

It has been contended by learned counsel for the petitioners that it is an out and out a false case. The husband of the complainant was mentally challenged. He was taken to Ranchi Institute of Neuro Psychiatry & Allied Sciences (RINPAS) for treatment and, after treatment, while the petitioners were taking him back from Ranchi, he went missing from Ranchi Railway Station. A hectic search was made by the petitioners at various places and lastly an information in this regard was given to the Ranchi Rail Police on 3.6.2014.

Learned counsel for the complainant has opposed the prayer for anticipatory bail. He has submitted that though the husband of the complainant was mentally sick, but the accused persons have either kept him at some unknown place or have killed him.

Regard being had to the facts and circumstances of

the case, in the event of arrest or surrender within a period of four weeks, the petitioners, above named, are directed to be released on anticipatory 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 Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No. C989/2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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