

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23268 of 2015

Arising Out of PS.Case No. -61 Year- 2012 Thana -GAMAHARIYA District- MADHEPURA

- =====
1. Fishilal Yadav Son of Late Nirdhan Yadav
 2. Sunil Yadav @ Sunil Kumar Son of Fishilal Yadav
 3. Bahadur Yadav @ Bir Bahadur Kumar Son of Badri Yadav All residents of village - Bara, Police Station and District - Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate.

For the Opposite Party : Mrs. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard both sides.

The petitioners apprehend their arrest in Gamharia P.S. Case No. 61 of 2012, registered for the offences punishable under Sections 498, 307 and other Sections of the Indian Penal Code.

The informant wife of Ranjit Yadav made allegation that her husband solemnized second marriage and thereafter used to assault her. She alleged that while she was in the house of her father Ranjit Yadav, Anandi Yadav and other accused persons came. Anandi Yadav caught her and Ranjit Yadav fired which hit on her waist.

It is submitted that police after investigation

submitted final form finding the case false against all the three petitioners. Even the informant has not made any specific allegation against the petitioner in the entire FIR. The petitioners have no manner of concern with the family affairs of the informant and her husband. The learned Judicial Magistrate took cognizance against the petitioners after differing with the finding of the investigating officer.

Taking into consideration that the petitioners are in-laws and the informant has not made any sorts of allegation although named in the FIR against the petitioners, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Shri Sunil Kumar Singh-III, the learned Judicial Magistrate 1st Class, Madhepura in Gamharia P.S. Case No. 61 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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