

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25398 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -KHIJARSARAI District- GAYA

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1. Dev Narayan Prasad alias Dev Narayan Yadav, Son of Late Vishnudyal Prasad
 2. Junny Devi, Wife of Dev Narayan Prasad alias Dev Narayan Yadav
 3. Jaiky Kumar, Son of Deonandan Prasad
 4. Priya Devi, wife of Jaiky Kumar
 5. Raj Kumar, Son of Deonandan Prasad
 6. Neelam Devi, wife of Raj Kumar All resident of village- Rajgir Manjhi Tola P.S. Rajgir, District- Nalanda at present residing at Mohalla-Bairagi, P.S. Delha, District- Gaya.
 7. Lal Das, Son of Late Jharmu Ram.
 8. Sunita Devi, wife of Lal Das Both resident of village Sipara, P.S. Jakkanpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-07-2015

Heard learned counsels for the petitioners and the State.

Petitioners being parents, brothers, brothers' wives, married sister and brother-in-law of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code.

The accusation is of torture and making an attempt to kill the informant by pouring kerosene oil but somehow the informant saved herself. In the year 2014 the informant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general and the thrust of accusation is against the husband of the informant who has filed Matrimonial Case No. 44 of 2015 on 28.01.2015 for divorce. It is further submitted that no specific date of inflicting any injury or torture has been mentioned in the First Information Report nor any injury report has been brought on record.

Considering the thrust of accusation against the husband of the informant, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Judicial Magistrate, 1st Class, Gaya in connection with Khizar Sarai P.S. Case No. 77 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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