

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34154 of 2014

Arising Out of PS.Case No. -1071 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Pratima Devi @ Rajanigandha Kumari, D/O Naresh Prasad, W/O Sanjeet Kumar, Resident of Village - Tika Bigha, Police Station Telhara, District- Nalanda.
2. Suvida Devi, W/O Naresh Prasad, Resident of Village - Gabaspur, Police Station Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Binni Singh Choudhary W/O Ravi Kant Resident of Village- Gawaspur, Police Station- Islampur, District- Nalanda, D/O Binesh Prasad, Resident of Village- Ekangarsarai, East of Dakbunglow, Police Station- Ekangarsarai, District- Nalanda.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 09-02-2015 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the complainant.

The petitioners, namely, Pratima Devi @ Rajanigandha Kumari and Suvida Devi, apprehend their arrest in Complaint Case No. 1071-C/2012, arising out of Islampur P.S. Case No. 69 of 2012, registered under Sections 313, 323, 341, 358/34 of the Indian Penal Code.

Binni Singh Choudhary made allegation against the petitioners that the petitioners and others subjected her to mental and physical torture and also got her aborted. Her father had

earlier filed Islampur P.S. Case No. 162 of 2011 but that case was compromised on the undertaking of the husband to keep her properly.

Learned counsel for the petitioners submits that the petitioners are mother-in-law and sister-in-law of the complainant. The complainant lodged Islampur P.S. Case No. 69 of 2012. The police after investigation submitted final form. Then the case proceeded on protest. Earlier, the father of the complainant filed Islampur P.S. Case No. 162 of 2011. The case ended in compromise. A divorce case was also filed but the complainant disputed that she did not file any case either under Section 13 of 13B of the Hindu Marriage Act and her signature was forcibly obtained.

Be that as it may, considering the nature of allegations made against the petitioners and the fact that the petitioners are mother-in-law and sister-in-law of the complainant, the above named petitioners, in the event of their arrest or surrender before the learned 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 bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial

Magistrate, Hilsa, Nalanda in Complaint Case No. 1071-C/2012, arising out of Islampur P.S. Case No. 69 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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