

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47920 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Madan Sah
 2. Shiv Pujan Sah, both sons of Late Asharfi Sah
 3. Subhash Kumar
 4. Anil Kumar, both sons of Shiv Pujan Sah
 5. Shailesh Kumar, son of Madan Sah
 6. Raj Kumari Devi wife of Shiv Pujan Sah
 7. Shanti Devi wife of Madan Sah
 8. Munni Kumari daughter of Madan Sah
- All residents of Village-Anandiganj, P.S.-Palanava,
District-East Champaran.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1
(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-11-2015 Petitioners being family members and relations of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 342, 506, 323, 354(A), 354(B), 354(D), 376, 511/34 of the Indian Penal Code.

The prosecution case is that informant was married to Prem Kumar Sah. Subsequently the matrimonial relationship got strained and consequently Palanava P.S. Case No. 35 of 2015 was registered by the informant with

accusations under Sections 323, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. Further case of the informant is that on 02.05.2015 the brother of the husband of the informant Satish Kumar attempted to ravish the informant and caused teeth-bite on the breast of the informant. When the informant made protest then Satish Kumar tied the hands and legs of the informant when she raised alarm the villagers came and rescue the informant.

It is submitted by learned counsel for the petitioners that in the background of the case lodged with accusation under Section 498A of the Indian Penal Code and the Matrimonial Suit No. 197 of 2014 filed by the husband of the informant with a prayer for divorce on 18.07.2014, the present case was lodged on 06.05.2015. Moreover the thrust of accusation is against co-accused Satish Kumar and accusation against the petitioners is omnibus and general.

Considering the accusation not being specific against the petitioners and the case lodged by the husband of the informant against the informant at earlier point of time, 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, Raxaul at Motihari, East Champaran in

connection with Mahila(Motihari) P.S. Case No. 31 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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