

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32626 of 2014

Arising Out of PS.Case No. -113 Year- 2013 Thana -TRIVENIGANJ District- SUPAUL

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1. Bhuneshwar Sardar @ Bhuneshwar Sardar Son of Chulhai Sardar Resident of Village - Daparkha, P.S. - Triveniganj, District - Supaul.
2. Raghuni Sardar @ Raghunandan Sardar Son of Asharfi Sardar Resident of Village - Daparkha, P.S. - Triveniganj, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-02-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 376,323 and 504/34 of the Indian Penal Code.

It is alleged that Buta Sardar established forceful physical relationship with the informant, thereafter the relationship continued and the informant gave birth to a child but Buta Sardar refused to marry. Subsequently, the marriage was performed but petitioner no. 1 being father, did not allow the informant and Buta Sardar to reside in the house. Petitioner no. 2 is the relative (Samdhi) of petitioner

no. 1.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against Buta Sardar and now the matrimonial harmony has been restored. Petitioner no. 1 has no objection with regard to the conjugal life of his son.

It is submitted by learned counsel for the informant that on conclusion of investigation, the petitioners have also been chargesheeted.

It appears from the impugned order that co accused Buta Sardar has been chargesheeted for the offences under sections 376,493,496,323 and 504 IPC whereas petitioners have been chargesheeted only under sections 341,506 and 504/34 IPC.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Supaul in connection with Triveniganj P.S. Case No. 113 of 2013 subject to the conditions as laid down under

Section 438(2) Cr.P.C.

The bail bonds of petitioner no. 1 will be accepted by the learned court below on filing of affidavit that he will not disturb the informant in enjoying her share of property in the matrimonial house.

(Dinesh Kumar Singh, J)

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