

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39374 of 2014

Arising Out of PS.Case No. -968 Year- 2009 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Manoj Sao, son of late Bhagwan Sao,
2. Gita Devi wife of Sri Manoj Sao,
Both are resident of Chaili Tal, Dhowinia Gali, near Sangat Gali, P.S.-
Alamganj, Dsitric- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate.

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 498A of the Indian Penal Code, who are actually father-in-law and mother-in-law of the complainant/widow and that after the death of the husband of the complainant was subjected to cruelty and in fact when the court below had tried to make an effort for conciliation that also was fully brushed aside by the petitioners, this Court is not inclined to grant privilege of anticipatory bail to the petitioners only the ground that taken in the supplementary affidavit filed today that complainant/the widow has married again on 2nd March 2014.

This Court, in fact, will not give credence to such manufactured document like a temple receipt to be the sole

evidence of the marriage of the complainant.

In that view of the matter, the prayer for anticipatory bail of both the petitioners is hereby rejected and they are directed to surrender in the court below.

If in course of such surrender and seeking regular bail, the complainant appears and there is some sort of clear effort on the part of the petitioners to rehabilitate the widow and her son, the court below will pass an appropriate order by putting certain condition for grant of bail to the petitioners.

With the aforesaid observation and direction this application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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