

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46589 of 2015

Arising Out of PS.Case No. -1019 Year- 2015 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

- =====
1. Kalpana Mishra wife of Late Manikant Mishra, Resident of village- Gajhara, P.S. Ladaniyan, District- Madhubani. At present residing Flat No. 303/304, Krimson Tower, Lokhandwala Complex, Kandwali (East), Mumbai- 400101
 2. Priya Darshni Mishra @ Priyadarshini Mishra wife of Angika Dalal @ Amish Dalal D/o Late Manikant Mishra, resident of flat No. 306, Wing B, Kalpataru Charni Road, Mumbai- 400004

.... Petitioner/s

Versus

1. The State of Bihar
2. Priya Kumari Devi @ Priti Mishra wife of Ashwani Kant Mishra, Resident of village- Gajhara, P.S. Ladaniyan, District- Madhubani. At present D/o Amindra Pathak, of village Benipatti, P.S. Benipatti, District Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2015 Heard learned counsels for the petitioner and the State.

The petitioners being the mother and married sister of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 379, 323, 341, 498A and 504 of the Indian Penal Code.

The basic accusation is of torture and driving out the informant from the matrimonial house.

Learned Addl. Sessions Judge perhaps disposed of the

anticipatory bail application of the petitioners in view of the order passed in Cr. Misc. No. 5107 of 2014 on the ground that the summons have been issue against the accused persons in a complaint case.

It is submitted by learned counsel for the petitioner that in the said criminal miscellaneous application there is no ratio laid down with regard to non-consideration of anticipatory bail in a complaint case where the summons have been issued. Moreover, now the warrant has been issued against the petitioners.

Considering the thrust of accusation against the husband of the complainant and the accusation being omnibus and general against the entire in-laws family, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani in connection with C.R. No. 1019 of 2015/1026 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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