

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34017 of 2014

Arising Out of PS.Case No. -2349 Year- 2012 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Ranjeet Kumar Sinha Son of Ranjan Kumar Sinha
 2. Ranjan Kumar Sinha Son of Late Tej Bahadur Lal
 3. Neera Devi Wife of Ranjan Kumar Sinha
 4. Sanjeeet Kumar Sinha Son of Ranjan Kumar Sinha
 5. Amit Kumar Sinha Son of Ranjan Kumar Sinha
 6. Ajit Kumar Sinha Son of Ranjan Kumar Sinha
 7. Nitu Devi Daughter of Ranjan Kumar Sinha
 8. Nanhi Kumar Daughter of Ranjan Kumar Sinha
 9. Sapna Kumari Daughter of Ranjan Kumar Sinha All 1 to 9 are Resident of Village - Basantpur, P.S.- Basantpur, District - Siwan
 10. Rajan Kumar Son of Suresh Prasad Srivastava Resident of Mohalla - Srinagar Siwan, P.S.- Siwan Muffasil, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi Wife of Late Satish Kumar Sinha Resident of Village - Majhwaliya, P.S.- Siwan Muffsil, District - Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra
For the Opposite Party/s : Mr. Kr. Ranjit Ranjan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 12-02-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State and learned counsel for the informant.

Petitioners apprehend their arrest in connection with Complaint Case No. 2349 of 2012 registered for the offences punishable under Sections 498A, 304B and 120B of the Indian Penal Code.



Petitioner no. 1 is husband of the deceased, whereas rest petitioners are in-laws of the deceased. The lower court has taken cognizance of the offences punishable under section 498A 304B and 120B of the Indian Penal Code but prior to that petitioner no. 1 lodged Bhagwanpur P.S.Case No. 160 of 2012 on 27.08.2012 against one unknown cyclist for the offences punishable under section 279, 337, 304 of the Indian Penal Code.

After institution of the aforesaid case, the complainant filed complaint Case No. 2349 of 2012, which was sent to concerned police station for registration of the F.I.R but the officer in- of charge Basantpur police station returned the aforesaid complaint to the concerned court with noting that for the death of deceased, Bhagwanpur P.S.Case No. 160 of 2012 had been registered and the investigation has already been completed. After the above stated report of officer in-charge of Bhagwanpur police station, the complainant filed petition for taking cognizance but the same was rejected and after that the complainant moved to the Revisional court and the Revisional court allowed the Revision Petition and, accordingly the inquiry in Complaint Case No. 2349 of 2012 was held and the cognizance was taken.

However, it is not in dispute that after investigation of Bhagwanpur P.S.Case No. 160 of 2012, the police has already

submitted charge sheet for the offences under section 279, 337, 304 of the Indian Penal Code against unknown cyclist.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Siwan, in Complaint Case No. 2349 of 2012, subject to condition as laid down under Section 438(2) of the Cr.P.C.

Namita/-

(Hemant Kumar Srivastava, J)

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