

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36049 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -DARBHANGA District- DARBHANGA

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1. Shobha Devi Wife of Shyam Sundar Mahto
 2. Priyanka Kumari D/o Shyam Sundar Mahto
 3. Shiyani Kumari D/o Shyam Sundar Mahto
 4. Ajay Kumar Mahto S/o Shyam Sundar Mahto
 5. Rajesh Kumar Mahto S/o Shyam Sundar Mahto All resident of Mohalla
- Lalbagh, Near C.M. Science College, P.S. Town, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-09-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 448, 323, 379, 307, 504 and 354 of the Indian Penal Code.

The prosecution case is that the accused persons entered into the house of the informant, abused the informant and asked her to vacate the house and on protest being made co-accused Shyam Sunder Mahto attempted to press the neck of the informant when son of the informant came to rescue then petitioner no.5 Rajesh Kumar Mahto pointed a pistol on his chest when all the accused persons caused hurt with fists and slaps. Petitioner no.1 is

alleged to have snatched earring of the informant.

It is submitted by learned counsel for the petitioners that petitioner no.1 is the sister-in-law of the informant (gotani) and petitioner nos. 2 to 5 are the children of petitioner no.1 and due to and dispute, the accusation has been levelled when superficial injury has been filed. It is further submitted that the petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house.

It is submitted by learned counsel for the informant that the informant is a widow lady and she is being tortured, assaulted and the accused persons wanted to drive her out from the matrimonial house.

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 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., Darbhanga in connection with Darbhanga (Town) P.S. Case No. 45 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by filing separate affidavit before the learned court below to the effect

that they will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned police station for constant monitoring for a period of two years.

(Dinesh Kumar Singh, J)

Amrendra/-

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