

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4001 of 2016

Arising Out of PS.Case No. -913 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Rita Pandey Wife of Awadesh Kumar Pandey,
 2. Awadhesh Kumar Pandey, Son of Late Jaideo Narayan Pandey,
Both resident of Budhanath Chowk, Police Station - Adampur, District –
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pawan Kumar Sah, Son of Sri Ganesh Prasad, Resident of Naya Tola,
Tinpulia (Ganeshpur), Police Station - Jagdishpur, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 27-01-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 346, 365, 504 and 506/34 of the Indian Penal Code.

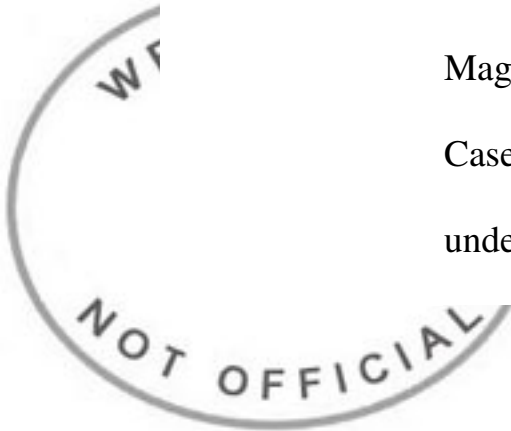


The prosecution case is that the complainant being a lawyer by profession married with Monira Khanam @ Munni Rani the sister of Umar Khaiyam @ Chunna on 01.06.2008, though, this was the first marriage of complainant but the complainant was the third husband of his wife. Subsequently the wife of the complainant developed some hatred against him with the petitioners used to forbid the complainant to keep his wife and subsequently got her disappeared along with the children as there was one child from the complainant and one from other husband of his wife.

It is submitted by learned counsel for the petitioners that only on suspicion the accusation has been levelled. Subsequent to the filing of the present complaint the complainant has filed Matrimonial Suit No. 146 of 2015 for restitution of the conjugal life and in paragraph 8 of the plaint of matrimonial suit the stand was taken that the complainant's wife was taken by her brother and father.

Considering the consistent stand taken in the matrimonial suit filed subsequent to the complaint petition, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing

bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur in connection with Complaint Case No. 913 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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