

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9650 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

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1. Ram Khelawan Yadav S/o Late Tulsi Yadav (father of Sautan)
 2. Raju Gope S/o Ram Khelawan Yadav (Brother of Sautan)
 3. Shako Devi D/o Ram Khelawan Yadav (Sautan)
All three R/o Rajadih, P.S. Sikandra, District- Jamui
 4. Ramchandra Yadav S/o Govind Yadav (co-villager) R/o Latkana, P.s.-
Ariyari, District- Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi D/o Rajeshwar Prasad, R/o Village- Jasat P.S.- Dhamoul,
Dist. Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 12-07-2016

Heard learned counsels for the petitioners

and the State.

The petitioner no. 3 being second wife of the husband of the informant, petitioner nos. 1 and 2 being the father and brother of petitioner no. 3 and petitioner no. 4 being the co-villager of petitioner nos. 1 to 3 are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 494, 379, 506/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage by the husband of the informant

with petitioner no. 3.

It is submitted by learned counsel for the petitioners that the petitioner no. 3 was not aware about the earlier marriage of the husband of the informant and petitioner nos. 1, 2 and 4 being the father, brother and co-villager of petitioner no. 3 have been maliciously roped in the present case and the thrust of accusation is against the husband of the informant.

It is submitted by learned counsel for the informant that the petitioners also inflicted torture to the informant and gold chain of the informant was snatched by petitioner no. 3.

Considering the thrust of accusation against the husband of the informant, let the above named petitioners be released on anticipatory bail provisionally for six months, in the event of 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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Mahila) P.S. Case No. 02 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioners will be accepted by the learned court below on filing separate affidavit that they will not interfere in day to-day life of the informant and the provisional bail will be confirmed by the learned court below after obtaining report with regard to the conduct of the petitioners from the concerned police station.

(Dinesh Kumar Singh, J)

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