

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11408 of 2016

Arising Out of PS.Case No. -303 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

- =====
1. Munni Lal Singh son of Pallan Singh
 2. Radhika Devi @ Radha Devi, wife of Munilal Singh
 3. Dinesh Kumar Singh @ Dinesh Prasad Singh, son of Munni Lal Singh
 4. Nutan Devi @ Nutan Singh, wife of Dinesh Kumar Singh
- All resident of Village-Pahepur, P.S.-Samastipur(Muffassil) District-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016 Petitioners being parents, brother and brother's wife of the husband of the complainant are apprehending their arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 506/34 of the Indian Penal Code.

The basic accusation is of torture and driven out the complainant from her matrimonial house.

It is submitted by learned counsel for the petitioners that the complainant went traceless for which the husband of the complainant filed Samastipur(Muffassil) P.S. Case No. 395 of 2014 levelling accusation under Section 366 of the Indian Penal Code against unknown. In the aforesaid case

the complainant appeared and thereafter cognizance was taken under Sections 341, 323, 354, 498A/34 of the Indian Penal Code in which the petitioners along with the husband of the complainant were charge-sheeted. The petitioners are on bail in the aforesaid case, though statement to that effect has not been made in the petition. Thereafter the husband of the complainant filed Matrimonial Suit No. 232 of 2013 with a prayer for divorce. Moreover the thrust of accusation is against the husband of the complainant.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Complaint Case No. 303 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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