

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14411 of 2016

Arising Out of Complaint Case No. -445 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE
District- SEKHPURA

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1. Kamla Devi (Mother-in-Law) (50 years) W/o Lakhan Yadav
 2. Geeta Devi (Sister-in-Law) (30 years) W/o Ramsharan Yadav
 3. Lakhan Yadav (Father-in-Law) (60 years) S/o Late Saryu Yadav
 4. Vinod Yadav (Brother-in-Law) (25 years)
 5. Kamlesh Yadav (Brother-in-Law) (33 years)
 6. Ramsharan Yadav (Brother-in-Law) (35 years)
 7. Pramod Yadav (Husband) (30 years)
- Petitioners No. 4,5,6 & 7 are sons of Lakhan Yadav

.... Petitioner/s

Versus

1. The State of Bihar.
2. Laali Devi D/o Shivnandan Yadav R/o Village Dataura, P.O. Ghuskuri, P.S. Ariyari, Dist- Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar
For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 01-09-2016 Heard learned counsels for the petitioners and the

State.

Petitioners being parents, brother, brothers' wives and the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341, 498A, 504, 379/34 of the Indian Penal Code.

Basic accusation is of torture.

Learned counsel for the petitioners submits that

marriage between the petitioner no.7, namely Pramod Yadav, and the complainant is an admitted fact and petitioner no.7 is ready to keep the complainant with dignity and honour. A statement to that effect has been made in paragraph no. 6 of the petition, which reads as under :-

"That it is humbly submitted that the petitioner no.7, who is husband of the complainant is ready to keep his wife with full dignity....."

It appears from the impugned that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners since only the summons were issued. A supplementary affidavit has been filed stating therein that till date only bailable warrant has been issued.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioners and dispose of on the same day, keeping in view of the present stand of petitioner no.7, in view of the ratio laid down in the case of **Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in *PLJR 2015(3) 806* , if the petitioners surrender within a period of six weeks in connection with Complaint Case No.445 C/2015, pending before the learned ACJM, 1st Class, Sheikhpura.

With the above observation, this application is,
accordingly, disposed off.

Ashwini/-

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(Dinesh Kumar Singh, J)