

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23669 of 2016

Arising Out of PS.Case No. -719 Year- 2013 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. ANITA SRIVASTAVA @ AMITA SRIVASTAVA Wife of Pawan Kumar @ Pawan Kumar Srivastava
 2. Pawan Kumar @ Pawan Srivastava son of late Jagdish Prasad Srivastava
 3. Sarita Srivastava w/o Rajesh Kumar Srivastava At present all residents of mohalla - Balughat, Bandh Road, P.S. - Town, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners being sister and brother in law of the late husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 147,341,323,354,379 and 504 of the Indian Penal Code.

The prosecution case is that the informant Savita Verma alleged that on 23.12.2013 all the accused persons including the petitioners entered into the house of the informant variously armed, confined the informant in a

room her children in another room and started breaking the lock of other room. The accused persons robbed the jewellery and cash of Rs.17,500.

It is submitted by the learned counsel for the petitioners that the informant is the wife of late brother and brother in law of the petitioners. Earlier the informant lodged Vaishali P.S. Case No. 191 of 1993 levelling accusation under section 498A IPC when the husband of the informant was sent to jail and ultimately due to shock he died in 2009. The informant also filed Maintenance Case No. 65 of 1994 during the life time of husband and after the death of her husband the maintenance amount was not paid. The informant also preferred a Partition Suit which got dismissed hence as a retaliatory measure the present case has been lodged. The petitioners are married sister and brother in law of the late husband of the informant and reside at different places.

Considering the litigated relationship between the parties and the fact that husband of the informant has already died, 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 twelve weeks

from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Muzaffarpur in connection with Town P.S. Case No.719 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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