

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28842 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

- =====
1. Raj Mangal Singh @ Raj Mangal S/o Late Dhora Singh
 2. Shimrikh Devi Wife of Raj Mangal Singh.
 3. Mukesh Singh Son of Raj Mangal Singh
 4. Anjila Devi @ Anjani Devi wife of Mukesh Singh

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rinki Devi wife of Subodh Singh,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2016 Heard learned counsels for the petitioners and the State.

The petitioners being parents, brothers and brothers' wives of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A, 494, 504, 323 and 34 of the Indian Penal Code.

Basic accusation is of torture and performing second marriage by the husband of the informant.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the informant. Earlier, the husband of informant filed Matrimonial



Case No.735/2012 for restitution of conjugal rights but the informant chosen not to appear in the aforesaid case. Subsequently, the husband of the informant filed Matrimonial Suit No.14/2014 with a prayer for divorce and thereafter the present case has been lodged. The petitioners are still ready to allow the informant to enjoy her share of property in the matrimonial house. A statement to that effect has been made in paragraph 12 of the petition, which reads as follows :-

"...Petitioners are ready to keep their daughter-in-law and ready to abide with any condition of the Court."

Considering filing of matrimonial suit at earlier point of time, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sheohar, in connection with Sheohar Mahila P.S. Case No.5/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned court below on filing of separate affidavit to the effect that they will allow the informant to enjoy her share

property in matrimonial house. It is expected that the learned Court below shall get the said affidavits transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

Ashwini/-

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