

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35417 of 2016

Arising Out of Complaint Case No. -340 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

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1. Sarita Devi, wife of Sri Baijnath Das
2. Baijnath Das, @ Bajnath Das, son of Sri Kailash Das
..... Petitioner/s

Versus

1. State of Bihar
2. Khiru Das, son of late Thakur Das
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate
For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2016 Heard learned counsels for the petitioners and the State.

Petitioner no.2 being the husband of the daughter of the complainant whereas petitioner no.1 is second wife of petitioner no.2 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, 498A and 494 of the Indian Penal Code.

Basic accusation is of torture and performing second marriage.

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners since only the summons were issued. Learned counsel for the petitioners has not controverted this fact that only summons

have been issued.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioners 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* and preferably dispose of on the same day, if the petitioners surrender within a period of six weeks in connection with Complaint Case No.340 C/2015, pending before the learned SDJM, Jamui.

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

Ashwini/-

(Dinesh Kumar Singh, J)

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