

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37953 of 2016**

Arising Out of Complaint Case No. -6214 Year- 2015 Thana -NAWADAH COMPLAINT CASE  
District- NAWADA

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1. Sampat Devi, wife of Sri Surendra Bhatt  
2. Surendra Bhatt @ Surendra Kumar Bhatt, son of late Jageshwar Rai  
..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Sri Nagendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      31-08-2016                      Heard learned counsels for the petitioners and the  
  
State.

The petitioners being parents of 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 section 498A of the Indian Penal Code.

Basic accusation is of torture.

It appears that the learned Sessions Judge has disposed of the anticipatory bail application of the petitioners since only the summons were issued, though, a statement has been in paragraph no.5 of the petition that vide order dated 29.06.2016 bailable warrant of arrest has been issued.

Under the circumstances, this Court is not inclined to

grant anticipatory bail to the petitioner. But, keeping in view of the nature of accusation, let the learned Court below consider the prayer for regular bail of the petitioners and preferably dispose of on the same day 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 Nawada Complaint Case No.6214/2015, pending before the learned ACJM-III, Nawada.

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

Ashwini/-

**(Dinesh Kumar Singh, J)**

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