

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54400 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

- =====
1. Ramayan Pandey son of Late Basdeo Pandey
 2. Akhilesh Pandey @ Akhileshwar Pandey, son of Ramayan Pandey
 3. Usha Devi, wife of Akhilesh Pandey @ Akhileshwar Pandey
- All are resident of village- Belsand, Tiwaritola, P.S. Baarauli
(Madhopur O.P.), district- Gopalganj

.... Petitioners

Versus

1. The State of Bihar
2. Pratima Devi wife of Jitendra Kumar Pandey, daughter of Gautam Upadhyay, resident of village- Dumara, P.S. Jamo Bazar, District- Siwan

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-12-2016 Heard Sri Gajendra Kumar Singh, learned counsel
for the petitioners and learned Addl. Public Prosecutor.

Three petitioners, who are father-in-law, brother-in-law and wife of brother of husband of the informant/Opp.Party no.2, apprehending their arrest in Gopalganj Mahila P.S. Case no.38/2016 registered for the offence under Section 498(A), 406, 494/34 of the Indian Penal Code, have prayed for grant of anticipatory bail.

By way of referring to the F.I.R., learned counsel for the petitioners submits that as per F.I.R., the marriage was solemnized on 07.07.2007 with the son of petitioner no. 1 and



after nine years, an allegation has been made by the informant that the husband of the informant was already married. It has been argued that partition in between the petitioners and husband of the informant has already been taken place.

In view of the facts and circumstances, the Court is of the opinion that the husband of the informant is main accused. Since the petitioners are father-in-law, brother-in-law and wife of brother of husband of the informant, there is no reason to deny the privilege of anticipatory bail to the petitioners. Let the aforesaid three petitioners, namely, (i) Ramayan Pandey (ii) Akhilesh Pandey @ Akhileshwar Pandey and (iii) Usha Devi , in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj in connection with Gopalganj Mahila P.s. Case No.38/2016 subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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