

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43973 of 2016

Arising Out of PS.Case No. -600 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Kumar Srivastava @ Bahadur,
 2. Renu Devi,
 3. Chandan Kumar alias Chandan Kumar Srivastava
 4. Pankaj Kumar alias Pankaj Kumar Srivastava

.... Petitioner/s

Versus

1. State of Bihar,
2. Jyoti Kumari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 06-10-2016

Heard learned counsels for the petitioners and the State.

The petitioners being parents and brother of the husband of the complainant are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323,341,498A and 406 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioners that the petitioners admit the marriage of the complainant with co accused Deepak Kumar but Deepak Kumar has filed Matrimonial Suit No. 230 of 2016 for restitution of conjugal rights. The thrust of accusation is against the husband of the complainant.



It appears that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner on the ground that only summons were issued. A supplementary affidavit has been filed to the effect that non-bailable warrant of arrest has been issued against the petitioners. Statement to that effect has been made in paragraph 2 of the supplementary affidavit which reads as follows:

“That it is most humbly submitted that warrant of arrest (N.B.W.) against the petitioners has already been issued.”

Considering the thrust of accusation against the husband of the complainant, 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, East Champaran, Motihari in connection with Complaint Case No. C 600 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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