

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42806 of 2016

Arising Out of PS.Case No. -3505 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Basanti Devi W/o Late Sudama Bhagat
2. Ratnesh Bhagat S/o Late Sudama Bhagat Both are residents of Village-
Bajitpur Saidat, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chandra Kala Devi W/o Shivpujan Prasad and D/o Umesh Bhagat at
present resident of Naihari Village- Kutubpur Saidpur, P.S.- Bidupur,
District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia

For the Opposite Party/s : Mr. Ram Anurag Singh

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

ORAL ORDER

2 28-09-2016 Heard learned counsels for the petitioners and the State.

The petitioners being mother and brother of the husband
of the complainant are apprehending arrest in a protest cum
complaint case in which process has been directed to be issued
after cognizance being taken for the offences punishable under
Section 498A of the Indian Penal Code.

The basic accusation is of torture after nine years of
marriage. It is also alleged that the husband of the complainant, in
intoxicated condition, used to commit unnatural offence with the
complainant whereas it is alleged against the petitioners and other
family members that they used to assault the complainant.

It is submitted by the learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant. Initially, Bidupur P.S. Case No. 209 of 2014 was filed but on conclusion of investigation, the petitioners were not sent up for trial, thereafter the present protest-cum-complaint case was filed wherein process has been directed to be issued.

Considering the thrust of accusation against the husband of the complainant and the fact that on conclusion of investigation the petitioners were not sent up for trial, 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 JM Ist Class, Vaishali at Hajipur, in connection with Complaint Case No. C 1- 3505 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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