

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39520 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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1. Kaushalendra Pratap Shahi @ Kaushalendra Pratap Sahi
 2. Ram Ran Vijay Pratap Shahi @ Ran Vijay Pratap Shahi. Both son of late Yadvendra Pratap Shahi.
 3. Nilima Shahi wife of Kaushalendra Pratap Shahi @ Kaushalendra Pratap Sahi.
 4. Jaya Shahi wife of Ram Ran Vijay Pratap Shahi @ Ran Vijay Pratap Shahi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-09-2016

Heard learned counsels for the petitioners and the State.

The petitioners being the brothers and brothers' wife of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468, 498A, 354, 120B, 342, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of the informant is to effect that her late husband is four brothers. Her husband died on 03.07.2014 and thereafter for the purpose of marriage of her daughter the informant tried to sell land which was obstructed by the petitioners. On 24.04.2016, the accused persons forced the informant to sign certain papers for giving money and

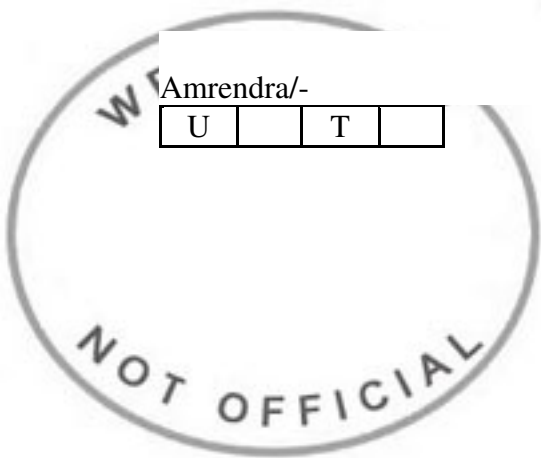
on refusal to sign the same, she was being assaulted. Thereafter, on the order of petitioner nos. 1 and 2, petitioner nos. 3 and 4 made the complainant naked, abused her and forced her to sign on papers suggesting receiving of ₹25,00,000/-.

It is submitted by the learned counsel for the petitioners that in the background o partition dispute, the accusation has been levelled as Partition Suit No. 541 of 2016 is pending between the parties. The petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house.

Considering the nature of accusation in the background of partition dispute, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM cum Sub-Judge 7th, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 69 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners shall be accepted by learned court below on filing separate affidavit by each petitioner that they will allow informant to enjoy her share of property in matrimonial house. Learned court below will get the said

affidavit transmitted to the concerned police station.



(Dinesh Kumar Singh, J)