

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7585 of 2016

Arising Out of PS.Case No. -141 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

- =====
1. Santu Kumar Yadav @ Santu Yadav Son of Binod Yadav,
 2. Binod Yadav, Son of Ram Kishun Yadav,
 3. Maantu Kumar Yadav @ Mantu Yadav, Son of Binod Yadav,
 4. Uttam Kumari Daughter of Binod Yadav,
 5. Lalita Devi @ Lalta Devi, Wife of Binod Yadav

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Devi, Wife of Santu Kumar Yadav @ Santu Yadav, Daughter of Akbali Yadav

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-02-2016 Heard learned counsels for the petitioners and the State.

Petitioner no.1 being husband of the informant and petitioner nos. 2 to 5 being father, brother, unmarried sister and mother of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 504, 506, 326 and 498A of the Indian Penal Code.

Basic accusation is of torture and causing burn injuries.

It is submitted by learned counsel for the petitioners that the issue, between the parties, has been resolved. A compromise petition to that effect has been filed before the learned court below the same has been brought on record by way of annexure-2 to the petition. It is further submitted that both the parties has filed Matrimonial Case No.310/2015 under section 13(B) of the Hindu Marriage Act before the Principal Judge, Family Court, Gaya. The same has been brought on record by way of annexure-3 to the petition.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for two months, 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 CJM, Gaya in connection with Neemchak Bathani P.S. Case No.141/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that compromise petition and Matrimonial Suit No.310/2015

under section 13(B) of the Hindu Marriage Act have already been filed. Otherwise the petitioners shall surrender and pray for regular bail.

Ashwini/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)