

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38304 of 2016

Arising Out of PS.Case No. -435 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Lalsa Devi, wife of Shambhu Pandey,
 2. Ujala Devi, wife of Sonu Pandey, Both resident of Village- Banchahari,
Police Station- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-09-2016 Heard learned counsels for the petitioners and the

State.

The petitioners being mother and second wife of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 498A,494 and 387/34 of the Indian Penal Code.

The basic accusation is of torture, driving out the informant and her three daughters from the matrimonial house and performance of second marriage by the husband of the informant. It is also alleged that the petitioners also demanded dowry.

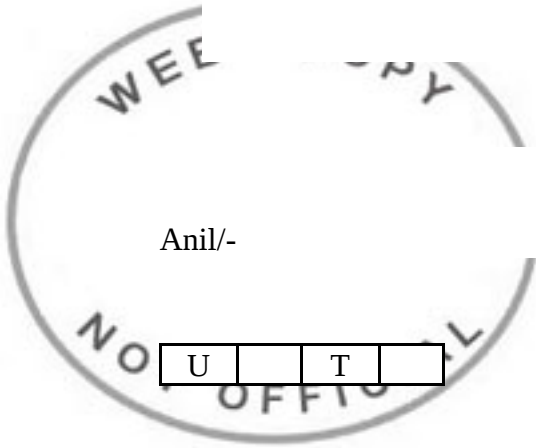
It is submitted by the learned counsel for the

petitioners that the accusation is omnibus and general against the petitioners. The thrust of accusation is against the husband of the informant. The petitioners are ready to allow the informant to enjoy her share of property in the matrimonial house.

Considering the fact that thrust of accusation is against the husband of the informant and the petitioners are ladies, 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) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Shikarpur P.S. Case No.435 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of individual affidavit by the petitioners before the learned court below that they will allow the informant to enjoy her share of property in the matrimonial house. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non compliance of the aforesaid undertaking will give liberty to prosecution to file

application for cancellation of bail by learned court below.



(Dinesh Kumar Singh, J)