

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31493 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -MAHILA P.S. District- SARAN

- =====
1. Meena Devi, W/o Late Vishwanath Prasad, R/o Sahibganj Dharmkanta Gali, P.S.- Chapra Town, District- Saran
 2. Sulekha Devi, W/o Parmanand Prasad
 3. Parmanand Prasad @ Premanand Prasad, S/o Sri Sadanand Prasad
Both resident of Madhaura Bazar, P.S.- Madhaura, District- Saran
 4. Pinki Devi @ Pinki Kumari @ Sudha Kumari, W/o Sanjeet Kumar Patel
 5. Sanajeet Kumar Patel, S/o Vijay Kishore Singh
Both resident of Arar More, Ward No. 27, Gopalganj, P.S.- Gopalganj, District- Gopalganj
 6. Rinki Kumari @ Radha Kumari @ Rinki Devi, W/o Sri Manish Kumar, resident of village Rajni Atta, P.S.-K. Hatt Purnea, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Sri Anil Kumar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2016 Heard learned counsel for the petitioners and the State.

The petitioners being the mother, married sister, brother-in-law of the Late husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 498A/34, 504, 506 of the Indian Penal Code.

The prosecution case is that Rajni Devi was married to Dharendra Kumar Patel, but the husband of the informant was died in a road accident on 22.06.2015, thereafter the accused persons started ill-treating, torturing

and threatened to oust the informant from Matrimonial house and they also snatched jewellery of the informant after few years of filing of Domestic Violence Act, 2005.

It is submitted by the learned counsel for the petitioners that petitioner no. 1 is the mother of the Late husband of the informant is more than 65 years of age and suffering from Cancer, whereas petitioner nos. 2 to 6 are the married sister and brother-in-law of the Late husband of the informant, who reside at their matrimonial house. The accusation against them is omnibus and general. The petitioners are still ready to keep the complainant and allow her to enjoy her share of property in matrimonial house.

Considering the present stand of the petitioners, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with Mahila (Saran) P.S. Case No. 03 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

said affidavit transmitted to the concerned local Police Station.
The non-compliance of undertaking given in the affidavit will
give liberty to the learned court below to cancel the bail bonds
of the petitioners.

(Dinesh Kumar Singh, J)

P.K./-

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