

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25016 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

- =====
1. Puspha Kumari @ Pushpa Kumari Daughter of Maheshwar Ram
 2. Vikash Kumar Son of Maheshwar Ram
 3. Maheshwar Ram Son of Ayodhi Ram
 4. Gujia Devi Wife of Maheshwar Ram
 5. Bindu Devi @ Bindu Kumari Wife of Vikash Kumar
All resident of village- Gwalpara, P.O.- Dobha, P.S.- Rupauli, District-
Purnia
 6. Shiv Shankar Das @ Shiv Narayan Das Son of Late Jagdish Das Resident
of village- Gyani Dastola, Tin Tangga, P.S.- Rangra, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumari Daughter of Kusheshwar Mochi Resident of village-
Rahua, P.O.+ P.S.- Sahebpurkamal, District- Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

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

02/ 28-07-2016

Heard learned counsels for the petitioners

and the State.

The petitioners being the sister, brother-in-law, brother, brother's wife and the parents of the husband of the complainant are apprehending their arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.



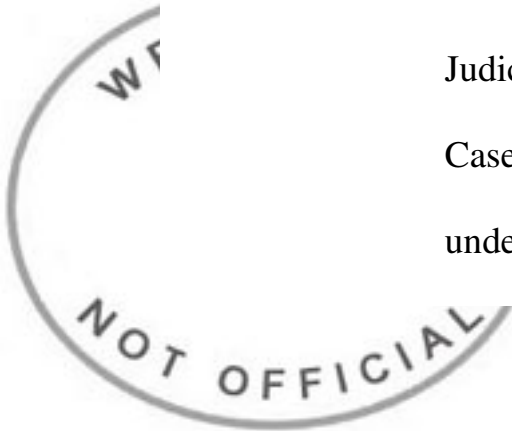
It is submitted by learned counsel for the petitioners that the accusation of torture has been levelled after five years of the marriage. The thrust of accusation is against the husband of the complainant. Accusation against the petitioners is omnibus and general.

It appears that earlier anticipatory bail application of the petitioners was disposed of by learned Sessions Judge since only summons were issued but the petitioners did not surrender before the learned court below and after issuance of non-bailable warrant of arrest fresh anticipatory bail application was preferred. Supplementary affidavit to the effect that non-bailable warrant has been issued on 01.04.2016. Statement to that effect has been made in paragraph 2 of the petition, which reads as follows:-

“That on 01.04.2016 the learned S.D.J.M., Begusarai directed the office clerk to issue non-bailable warrant against these petitioners.”

Considering the nature of accusation and thrust of accusation against the husband of the complainant, 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

bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 214C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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