

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38229 of 2016

Arising Out of Complaint Case No. -1240 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE
District- GOPALGANJ

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1. Krishnadeo Bhagat @ Sri Krishna Bhagat son of Late Dhondha Bhagat
 2. Lakhpatia Devi wife of Krishnadeo Bhagat @ Sri Krishna Bhagat
 3. Brijbhushan Bhagat @ Brijbhushan Kushwaha son of Krishnadeo Bhagat @ Sri Krishna Bhagat
 4. Sheo Kumari Devi wife of Subhash Singh
 5. Ful Kumari @ Ful Kumari Devi wife of Bullet Singh, daughter of Krishnadeo Bhagat @ Sri Krishna Bhagat

.... Petitioner/s

Versus

1. The State of Bihar
2. Bishwanath Singh son of Late Shyamlal Singh
3. Kiran Kumari W/o Uma Shankar Kushwaha, D/o Bishwanath Singh

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Sri Khurshid Anwar, APP

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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 the parents, brother and married sisters of the husband of the complainant are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

Basic accusation is of torture and driving out the complainant from the matrimonial house.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the petitioners.

Moreover, the thrust of accusation is against the husband of the complainant. The petitioners are ready to allow the complainant to enjoy her share of property in the matrimonial house.

Considering the accusation being omnibus and general as against the petitioners, 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 Judicial Magistrate, 1st Class, Gopalganj, in connection with Complaint Case No.1240/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted by the learned court below on filing of separate affidavit by each petitioner to the effect that they will allow the complainant to enjoy her share of property in matrimonial house. It is expected from the learned Court below to get the said affidavits transmitted to the SHO of concerned police station.

(Dinesh Kumar Singh, J)

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