

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44815 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

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1. Nagendra Sah son of Late Nemichand Sah
2. Yashoda Devi, Wife of Nagendra sah, Both Resident of Village-+post-
Hirauta Dumma, P.S. Tariyani, District- sheohar.

.... Petitioner/s

Versus

1. State of Bihar
2. Kavita Devi, Wife of Kamlesh Sah, Resident of Village+post- Hirauta
Dumma, P.s.- Tariyani, District- Sheohar Presently residing at
Village+Post- Kamrauli, P.s.- Piprahi, District- Sheohar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioners,

informant and the State.

The petitioners being parents of the husband of

the informant are apprehending arrest in a case registered

for the offences punishable under Sections

323,341,498A,379,504 and 506/34 of the Indian Penal

Code.

The basic accusation is of torture after 12 years

of marriage. The further accusation is that the husband of

the informant used to transmit money from his earning to

petitioners but they never used to give even a single farthing to

the informant.

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 and also undertake to allow her to live in the matrimonial house.

Considering the aforesaid facts, 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) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Sheohar in connection with Sheohar Mahila P.S. Case No.12 of 2016 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 affidavits shall 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 bonds of the petitioners by learned court below.

(Dinesh Kumar Singh, J)

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