

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9250 of 2016

Arising Out of PS.Case No. -444 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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1. Harihar Patel Son of Late Motilal Mahto,
 2. Dharmshila Devi, W/o Harihar Patel, Both resident of village + P.O. + P.s. - Kurhani, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rupam Kumari, D/o Late Ratneshwari Prasad, Resident of Village - Nagma, P.S. - Belsar (O.P.), District - Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha
For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-03-2016 The petitioners being parents of the husband of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 494, 307, 34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage by the husband of the informant, whereas it is alleged against the petitioners that these petitioners along with the husband of the informant and second wife Puja dragged the informant on the roof and from there they pushed her on the ground, as a result, she received fracture injuries.

It is submitted by learned senior counsel for the petitioners that accusation is omnibus and general. The informant received injuries due to the fall on the stair as the

accusation is not being corroborated with the medical opinion as there are no other injuries except two injuries on the leg out of which only one injury has been found to be grievous.

It is submitted by learned counsel for the informant that these petitioners also dragged the informant on the roof and pushed her from the roof, as a result she received grievous injury and the children have also deposed as hearsay witness with regard to the participation of the petitioners in causing injuries to the informant.

Considering the fact that thrust of accusation is against the husband of the informant, the claim of the petitioners that they are living separately from the husband of the informant and petitioners being old persons aged about 65 years, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Kurhani P.S. Case No. 444 of 2015, pending in the Court of learned Chief Judicial Magistrate, Muzaffarpur.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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