

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 53572 of 2016

Arising Out of PS.Case No. -1965 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Ram Birat Das Son of Jathu Das.
 2. Meena Devi Wife of Ram Birat Das,
 3. Manoj Das Son of Ram Birat Das,
 4. Sunula Devi @ Sunila Devi Wife of Manoj Das,
 5. Tejindra Das, Son of Ram Birat Das,
 6. Usha Devi, Wife of Tejindra Das,
 7. Shankar Das Son of Ram Birat Das,
 8. Mukesh Das @ Mukesh Kumar Son of Ram Birat Das,
above all are resident of Village- Gausnagar, P.S.- Gaighat, District-
Muzaffarpur.
 9. Manchit Das Son of Mishri Lal Das
 10. Bibha Debi Wife of Manchit Das,
above all are resident of Village- Ramkhetari, Madhopur, P.S.-
Runnisaidpur, District- Sitamarhi.

.... Petitioners

Versus

1. The State of Bihar.
2. Babita Kumari Wife of Ravi Kumar, resident of Village- Gausnagar,
P.S.- Gaighat, District- Muzaffarpur, daughter of Virpat Das, presently
resides at Village - Aattrar, P.S.- Aurai, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 21-12-2016 Heard Smt. Bela Singh, learned counsel for petitioners
and Sri Pawan Kumar Chaurasiya, learned Addl. Public
Prosecutor.

Ten petitioners, who are in-laws of
complainant/opposite party no. 2, apprehending their arrest in
Complaint Case No. 1965 of 2015, Tr. No. 2394 of 2016 for



offence under Sections 498(A)/34 of the Indian Penal Code, have prayed for grant of bail in the event of arrest or surrender.

At the very outset, it was argued by learned counsel for petitioners that in the complaint petition, there is general and omnibus allegation, however; in her statement recorded on S.A., the complainant has made specific accusation only against her husband. She submits that husband is not before this Court.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

However, considering the statement of the victim/complainant, which has been recorded on S.A. as well as the fact that petitioners are in-laws members and nature of accusation, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let aforesaid ten petitioners namely 1. Ram Birat Das, 2. Meena Devi, 3. Manoj Das, 4. Sunula Devi @ Sunila Devi, 5. Tejindra Das, 6. Usha Devi, 7. Shankar Das, 8. Mukesh Das @ Mukesh Kumar, 9. Manchit Das and 10. Bibha Debi be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Rai, Judicial Magistrate 1st



Class, Muzaffarpur in connection with Tr. No. 2394 of 2016, arising out of Complaint Case No. 1965 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

It is made clear that taking aid of this order, the husband of the complainant/opposite party no. 2, against whom there is main accusation, may not get any benefit.

(Rakesh Kumar, J.)

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