

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52245 of 2015

Arising out of PS.Case No. -155 Year- 2015 Thana -BAJPATTI District- SITAMARHI

1. Mustaque Ansari, son of Halim Ansari.
2. Isteyaque Ansari, son of Halim Ansari. Both residents of village-
Piparardi, P.S.- Bajpatti, Distt- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Devendra Kumar, Advocate.

For the Opposite Party : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending his arrest in connection
with Bajpatti P.S. Case No. 155 of 2015 for the offences instituted
under Sections 341, 323, 504, 354, 452, 380, 498(A) of the IPC
and ¾ of the D.P. Act.

The prosecution story, in brief, is that the husband of the
informant/complainant was doing work of tailoring in Delhi. He
constructed four bed rooms house in his paternal village, in which
the informant/complainant was living in the house along with
father-in-law, Devar and children. It is further alleged that the
husband of the informant died. Thereafter she continued to live in



her *Sasural* in that house. The accused persons, (petitioners) after death of her husband started bad behavior with her. The informant started maintaining her four children after doing work of labourer. The informant anyhow performed marriage of her two daughters. One daughter is unmarried and one son is minor. The informant was living with her unmarried daughter and minor son in the *Sasural*. It is further alleged that last year in the month of April in absence of the informant, the accused persons (petitioners) locked the room of the complainant and told her that they will not allow her to live in the house. A panchayati took place, thereafter, on the order of the *Panches* the petitioners opened the lock of the room of informant/ complainant. It is further alleged that the petitioners in absence of the informant, locked the room of the informant and threw her articles on the road, including some valuable articles such as jewellery etc. as mentioned in the complaint petition, worth Rs.3/- lacs were misappropriated by the accused persons. Panchayati was again called and on the pressure of the *Panches* the petitioners allowed the informant to enter into the house after opening the lock of the room. But the accused persons did not return jewellery and other articles of the informant. It is further alleged that after aforesaid occurrence, the behavior of the accused persons (petitioners) with the informant and her minor children

became worst. They often abused the informant. They levelled allegation against the informant of selling the articles of the house in market, calling her dishonest. The informant was residing in the house of her *Sasural* even after such torture.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners are the Dewars of the informant. After death of the husband of the informant due to property dispute the present case has been instituted against all the family members of the petitioners.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bajpatti P.S. Case No. 155/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)