

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19892 of 2016

Arising Out of PS.Case No. -448 Year- 2009 Thana -COMPLAINT CASE District- SUPAUL

- =====
1. Lakhan Mishra, Son of Late Rajbanshi Mishra
 2. Sumitra Devi @ Bibha Devi @ Sumitra Devi, Wife of Lakhan Mishra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meena Devi Daughter of Shobha Kant Jha, Resident of village- Bhim Nagar, P.S. Birpur District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners being parents 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, 323, 34 of the Indian Penal Code.

Basic accusation is of torture.

Learned counsel for the petitioner submits that marriage of the complainant with son of the petitioners was performed in 2004 when the complainant deserted the matrimonial house in 2009. The petitioners and the husband of

the complainant are ready to keep the complainant with full dignity and honour. A statement to that effect has been made in paragraph 9 of the petition which reads as follows :-

"That the petitioners are ready to kept the opposite party no.2 with full human dignity and honour. Even the husband (Suman Mishra) is ready to kept his wife (opposite party no.2) with full love and affection....."

It is further submitted that the thrust of accusation is against the husband of the complainant and accusation levelled against the petitioners are omnibus and general.

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 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 CJM, Saharsa in connection with Complaint Case No.448 C/2009, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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