

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46054 of 2016

Arising Out of PS.Case No. -472 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bhagirat Paswan
 2. Bigu Paswan
 3. Banarsi Paswan
 4. Santosh Paswan
 5. Lalmuni Devi
 6. Rampati Devi

.... Petitioner/s

Versus

1. State of Bihar
2. Chinta Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Umashankar Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-10-2016

Heard learned counsels for the petitioners and the State.

The petitioners being brother, cousins and wives of cousins of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture. It is alleged that the husband of the complainant has illicit relationship with his cousin's wife (petitioner no. 5) as a result the complainant was brutally assaulted and driven out from the matrimonial house after snatching her belongings.

It is submitted by the learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant. Though the complaint was filed in 2012 and anticipatory bail application of the petitioners was rejected on 17.5.2014 but since the petitioners reside outside the state hence they could not move this court.

Considering the delayed filing of anticipatory bail before this court, this court is not inclined to grant anticipatory bail to the petitioners but keeping in view the fact that thrust of accusation is against the husband of the complainant, let the learned court below consider the prayer for bail of the petitioners in case the petitioners surrender within six weeks from today in connection with Complaint Case No. C-472 of 2012 pending in the court of learned S.D.J.M. Sadar at Motihari (East Champaran).

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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