

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16746 of 2017

Arising Out of PS.Case No. -432 Year- 2016 Thana -PATORI District- SAMASTIPUR

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1. Baij Nath Ray @ Baijnath Rai @ Baijnath Ray Son of Late Gangi Ray,
2. Sharmila Devi Wife of Sri Rajendra Ray Both are Resident of Village-Bariyarpur, P.S.-Patory (Mohanpur O.P.), District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi, Wife of Sri Baij Nath Ray @ Baijnath Rai @ Baijnath Ray, daughter of Sri Laxman Choudhary @ Lakshman Choudhary Peranent Resident of Village-Bariyarpur, P.S.-Patory (Mohanpur O.P.), District-Samastipur, at Present resident of Village-Paharpur, P.S.-Jurawnpur, District-Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
Mr. Rohit Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 341, 323, 498A, 504 and 506/34 of the Indian Penal Code.

Petitioner no. 1 is husband and petitioner no. 2 is elder gotni of opposite party no. 2 and the specific allegation is that they have assaulted opposite party no. 2 for which she was taken to hospital and treated there.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that petitioner no. 1 is still ready to keep opposite party no. 2 and tried



his best also. Opposite party no 2 is also ready to live with him.

Heard learned A.P.P. also.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners, the same is rejected.

However, petitioners may surrender in the court below, i.e., learned C.J.M., Samastipur, in connection with Patory P. S. Case no. 432 of 2016 and make prayer for regular bail which will be considered by the court below on its own merit without being prejudiced by the order of this Court. It is made clear that once both the parties become ready to live together and approach before the court below and learned court below will consider these aspects of the matter and pass an appropriate order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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