

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8411 of 2017

Arising Out of PS.Case No. -2079 Year- 2008 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Santosh Kumar Pandey @ Santosh Pandey son of Awadhesh Pandey
 2. Awadhesh Pandey son of Late Adya Pandey
 3. Smt. Sunaina Devi wife of Awadhesh Pandey All are residents of Village - Bhataha, P.S. - Shampur, District - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi wife of Santosh Kumar Pandey, D/o Maheshwar Mishra resident of village - Bhataha, P.S. - Shampur, District - Sheohar, presently residing at Village - Purkhaal, P.S. Lalganj, District Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-03-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 498A, 379 and 384/34 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that since petitioners have not received any summons issued by the learned court below, they could not appear in the court. There was general and omnibus allegation against petitioner no. 1, who is husband, and petitioners no. 2 and 3 are father-in-law and mother-in-law.

Heard learned A.P.P. also.



Having heard both sides, it appears that in this case non-bailable warrant of arrest was issued against the petitioners in the year 2010 and now in the year 2017 they have moved before this Court for grant of anticipatory bail. As such, I am not inclined to grant bail to the petitioners, the same is rejected.

As such, petitioners may surrender in the court below, i.e., SDJM, Vaishali at Hajipur in connection with Complaint Case no. 2079 of 2008 Trial no. 1068/2014/667/2014 within a period of two weeks and make prayer for regular bail which shall be considered on its own merit and also on the facts that non-bailable warrant of arrest was issued against them, without being prejudiced by the order of this Court.

Accordingly, this application is dismissed with the aforesaid observation.

(Vinod Kumar Sinha, J)

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