

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12129 of 2017

Arising Out of PS.Case No. -934 Year- 2016 Thana -BIHTA District- PATNA

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1. Kanti Devi aged about 50 years W/o Devendra Kumar Mishra
2. Gunjan Devi age-32 years, D/o Devendra Kumar Mishra
3. Virendra Mishra @ Virendra Kumar Mishra, age- 66 years, S/o Late Nand Kishore Mishra All Resident of Village- Raghapur, P.S.- Bihta, District-Patna.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Mishra

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor.

The petitioners pray for anticipatory bail in connection with Bihta P.S. case no. 934 of 2016 registered for the offence punishable under Sections 241, 323, 307, 379/34 of the Indian Penal Code.

It is submitted on behalf of petitioners that FIR shows that the informant entered inside the house of the petitioners while *tilak* ceremony of Priyanka Mishra was going on and claimed that he has love affair with her. It is further submitted that petitioners have assaulted the informant but no injury has been mentioned. It is further submitted that earlier to filing of this case, FIR has been lodged by husband of petitioner no. 1 but the informant has uploaded obscene



picture of the daughter of petitioner no. 1 on the face book and he was harassing her by several means and in the present case, allegation of assault has been falsely made against the petitioners to pressurize them.

Heard learned A.P.P. also.

Having heard both sides. In view of the submissions as well as the FIR lodged by the petitioner side which is annexed as Annexure-3, in which, aforesaid allegations have been made, the anticipatory bail application of petitioners is allowed and they are directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Danapur (Patna) in connection with Bihta P.S. case no. 934 of 2016 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a condition that bailors should be the local one having sufficient property within the jurisdiction of learned court below and with further condition that petitioners will cooperate and assist in the investigation of the case and if they fail to assist the investigating officer, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J.)

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