

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44458 of 2017

Arising Out of PS.Case No. -352 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Devendra Rai, Son of Late Ram Bilas Rai @ Late Bilas Rai.

2. Urmilla Devi, Wife of Devendra Rai.

Both are r/o village-Batra, P.S.-Nanpur, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Rekha Devi, Wife of Nageshwar Sah, r/o village-Batra, P.S.-Nanpur,
District-Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mrs. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

3 20-12-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Complaint Case No. C1-352 of 2016 (Trial No. 5728 of 2017), disclosing offences under Sections 341, 323, 354 and 504 of the Indian Penal Code.

The petitioners are husband and wife.

Learned counsel for the petitioners has submitted that the complainant and the petitioners are next door neighbours and just before the alleged date of occurrence, there had been some altercation between the two parties. According to him, what has been alleged in the complaint petition is exaggerated version of what had happened on the alleged date of occurrence. He has submitted that it



absurd to allege that petitioner No. 2, who is wife of petitioner No. 1, will be participating in the commission of offence, under Section 354 of the Indian Penal Code, with her husband.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi**, in connection with **Complaint Case No. C1-352 of 2016 (Trial No. 5728 of 2017)**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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