

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51751 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

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1. Sunil Kumar Sharma S/o Paras Sharma
2. Chandan Kumar Thakur @ Chandan Kumar S/o Paras Sharma All are
resident of Village- Manpura, P.S.-Baruraj, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 30-06-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sheohar Mahila Police Station Case No. 10 of 2016, disclosing offences under Sections 498A, 323, 506/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against these petitioners and no specific overt act is attributed to them. In fact, the petitioner No.1 happens to be the husband of the informant and the petitioner no.2 happens to be brother-in-law of the informant. The petitioner No.1 is still ready to keep the informant as wife but the informant herself does not want to live



with the petitioner No.1 as she has performed another marriage. Petitioner No.2 has no concern with the matrimonial dispute of informant and petitioner No.1. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner No.2, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar, in connection with Sheohar Mahila Police Station Case No. 10 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner No.1 is concerned, this Court is not inclined to grant privilege of anticipatory bail to him. Accordingly, the prayer for anticipatory bail of petitioner No.1 is rejected.

(Arvind Srivastava, J)

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