

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18941 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -MAHILA PS District- KHAGARIA

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1. Shakuntala Devi @ Shila Devi, Wife of Yogendra Bhagat,
 2. Yogendra Bhagat, Son of late Harivans Bhagat,
 3. Gulshan Kumar, Son of Yogendra Bhagat, All resident of Village- Goriyasi Temtha, Police Station- Parwatta, District- Khagaria.
 4. Neha Devi, Daughter of Yogendra Bhagat and Wife of Ratan Jaiswal, resident of Village- Valdi Maheshpur, Police Station- Kusera, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-05-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Khagaria (Mahila) P.S. Case No. 06 of 2017 for the offences punishable under sections 498 (A) and 313 of the I.P.C.

Allegedly, the informant was married with Jiwanand Bhagat @ Adarsh Kumar, the son of petitioner nos. 1 and 2, on 04.07.2010 and thereafter they snatched all the ornaments and cash from the informant and started torturing her resulting the informant filed Case No. 04 M of 2016 in the court of Principal



Judge, Family Court, Khagaria wherein the husband of the informant compromised the case and took away the informant to keep her properly, but again after disposal of that case he started torturing her and now he does not want to keep her nor he wants to give her any maintenance. The petitioners are accused in Case No. 680 of 2003 as they are habitual of taking intoxicant and they have tried to kill her. The husband of the informant has not given right like the wife to her.

Submission is of false implication and that the petitioners are old mother-in-law, father-in-law, Devar and married Nanad, they are living separately from the husband of the informant since long having no concern with the family affairs of the informant and her husband, there is no specific allegation against the petitioners, the allegations are omnibus and general in nature and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners but fairly submits that there is no specific allegation against the petitioners.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be



released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. S.D.J.M. Khagaria in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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