

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23523 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Surendra Ram, Son of Nathuni Ram,
 2. Susila Devi, Wife of Surendra Ram,
 3. Ranjit Kumar @ Ranjit Kumar Ranjan, Son of Surendra Ram,
- All are resident of Village- Boariya, P.S.- Sarai, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka, Daughter of Rajendra Kumar Ram, Resident of Village- Mahua Singhram, P.S.- Mahua, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 19-08-2017

Heard Mr. Arun Kumar, learned counsels for the petitioners, Mr. Bela Singh, learned counsel for the informant-opposite party no. 2 and Mr. J.N. Thakur, learned counsel for the State.

The petitioners, being the parents and the brother of the husband of the informant, are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 504/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case is that the marriage of the informant was performed with co-accused Sanjit Kumar on



02.06.2013. Subsequently, a child was born out of the wedlock, but some differences cropped up, when all the accused persons assaulted the informant on 04.04.2017 and snatched the mobile phone of the informant. On 05.04.2017, all the accused persons poured kerosene oil on the body of the informant to cause burn injury but she managed to escape and thereafter, they snatched all the articles of the informant and drove her out from the matrimonial house.

It is submitted by learned counsel for the petitioners that the marriage between the informant and co-accused Sanjit Kumar is admitted. Both are employee of State Bank of India. They lived separately. The husband of the informant filed Matrimonial Suit No. 84 of 2017, before the learned Principal Judge, Family Court, Vaishali with a prayer for restitution of conjugal life. Petitioner no. 1 is a government employee posted as Upper Division Clerk in the office of District Welfare Office, Vaishali at Hajipur, petitioner no. 2 is an Ex-Sarpanch of the Gram Panchayat, Madhupur, Mahodat, Block – Bhagwanpur in the district of Vaishali and petitioner no. 3 is also a government employee and posted as Block Information and Technical Assistant in Block Mahua in the district of Vaishali. The thrust of accusation is against the husband of the informant and his



bail petition is pending before the learned Court below where mediation is going on. There is no medical report corroborating the accusation of assault or making attempt on the life of the informant by causing burn injury.

It is submitted by learned counsel for the informant that the husband of the informant has performed second marriage and these petitioners are also threatening the informant to withdraw the present case.

Considering the nature of accusation, particularly, thrust of accusation is against the husband of the informant, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 92 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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