

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42082 of 2017

Arising Out of PS.Case No. -2048 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Priyanka Rani W/o Shri Dhiraj Kumar Pandey, D/o Shri Chandra Shekhar Pandey, R/o Navratanpur, Badi Khagaul, PO & PS- Khagaul, District- Patna, at present residing with her husband at Road No- 1, Postal Park, P.S.- Kankarbagh, District- Patna.
 2. Arti Pandey D/o Shri Chandra Shekhar Pandey, R/o Navratanpur, Badi Khagaul, PO & PS- Khagaul, District- Patna.
 3. Bishwajit Raj @ Vishvajit @ Suraj Pandey, S/o Shri Chandra Shekhar Pandey, R/o Navratanpur, Badi Khagaul, PO & PS- Khagaul, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Shri Dhiraj Kumar Pandey, S/o Shri Nawal Kishore Pandey, Road No- 1, Postal Park, PS- Kankarbagh, District- Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Krishna Ballabha Sharma, Advocate
For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Complaint Case No. 2048 (C) of 2015 for offences under
Sections 379, 323, 504/34 of the Indian Penal Code.

It is submitted by the learned counsel for the



petitioners that the present complaint is a gross abuse of the process of the court. He contended that the complaint case under Sections 379, 323, 504/34 of the Indian Penal Code has been filed by the husband of the petitioner no. 1 only after the petitioner no. 1 had filed Khagaul P. S. Case No. 43 of 2015 against her husband under Section 498-A of the Indian Penal Code.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the nature of allegation, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in Complaint Case No. 2048 (C) of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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