

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55774 of 2016

Arising Out of PS.Case No. -479 Year- 2016 Thana -BUXAR District- BUXAR

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1. Kumkum Devi, Wife of Sri Govind Singh, R/o- Vill.- Patage, P.S.- Dhonsoi, Distt.- Buxar.
2. Ripu Kumar, Son of Sri Ram Prawas Singh, R/o Vill + P.O.- Karwania, P.S.- Dhonsoi, Distt.- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kritya Nand Jha, Advocate.

For the Opposite Party/s : Mr. Sri Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Buxar (T) P.S. Case No. 479 of 2016 registered under Sections 448, 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that petitioner no. 1, wife of informant, has illicit relation with one of his villager, Suresh Saw. The informant tried to convince his wife, petitioner no. 1 but there was no change in her behaviour. Thereafter, informant used to live at Buxar in rented room for his livelihood. On 14.10.2016, the informant reached at his rented room and found that Suresh Saw,



his wife- petitioner no. 1 and his brother-in-law-petitioner no. 2 were present there. When the informant opened the door, all accused persons entered in the room and after locking the door they started to search the room. In that course, Suresh Saw, took cash of Rs.15,000/-. When the informant made protest then all accused persons caused assault through iron rod, on which, he become unconscious. Thereafter, when the informant came in sense, he found himself at Sadar Hospital, Buxar. On 15.10.2016, in the morning, Rajesh Sah, brother of Suresh Sah, threatened of dire consequences, in case of lodging of the case.

Learned counsel for the petitioner submits that, in fact, petitioner no. 1, who is the wife of informant, was tortured by the informant, who had illicit relation with another lady in the village thereafter petitioner no. 2, brother of petitioner no. 1 had came at her matrimonial house and in presence of Suresh Saw, petitioner no. 2 tried to convince the informant but the informant become adamant and with ulterior motive the present case has been lodged with false allegation. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Buxar (T) P.S. Case No. 479 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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