

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21687 of 2017

Arising Out of PS.Case No. -433 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Nand Kishore Prasad, Son of Late Narayan Prasad,
2. Pintu Kumar Saraf, Son of Nand Kishore Prasad,
3. Bhawani Devi, W/o Nand Kishore Prasad,
4. Sindhu Devi, W/o Pintu Kumar Saraf, All are Resident of Village- Old
Gudari Lal Chowk, P.S.- Town Bettiah, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Most. Sangita Kuar , Wife of Late Bablu Kumar Saraf, D/o Parmeshwar
Prasad, R/o Purani Mehasi, P.S.- Mahesi, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party no. 2 : Mr. Madhuresh Kumar
Mr. Avinash

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 07-09-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. C-433/2011 registered under Section
498(A) of the Indian Penal Code.

The allegation of the complainant Sangeeta Kuar is that
her marriage was performed with late Bablu Kumar, son of petitioner
no. 1 on 09.05.2004 and out of the wedlock she has three children,
but unfortunately, her husband Bablu Kumar died. Thereafter, she
was being tortured by her in-laws for non-fulfillment of demand of
Rs. 2 lacs. Lastly, jewellery shop of the husband of the complainant



was also locked and her in-laws drove her out from her matrimonial house along with her children on 01.01.2011 and since then she is living in her Maika.

Learned counsel for the petitioners submits that in fact, the petitioners are father-in-law, brother-in-law, mother-in-law and sister-in-law of the complainant and only to seek partition of the land of her house, the complainant has lodged the present complaint case. Further submission is that before two days of lodging complaint case, the complainant had also lodged Bettiah Town P.S. Case No. 96/2011 regarding the similar allegation in which the petitioners have already been allowed pre-arrest bail.

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 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 learned Additional Chief Judicial Magistrate 12, Motihari, East Champaran in connection with Complaint Case No. C-433/2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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