

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53589 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -TARIYANI CHOWK District- SHEOHAR

- =====
1. UPENDRA RAI SON OF NAND KISHORE RAI @ KISHORI RAI
 2. DHARMENDRA RAI@ DHARMENDRA KUMAR SON OF NAND KISHORE RAI@ KISHORI RAI
 3. PUNAM DEVI@ PUNAM KUMARI WIFE OF DHARMENDRA RAI@ DHARMENDRA KUMAR
 4. SAVITA DEVI@ SAVITA KUMARI WIFE OF UPENDRA RAI
- ALL RESIDENT OF VILLAGE- MUSHARI GOT, P.S. TARIYANI,
DISTRICT- SHEOHAR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 07-09-2018

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Petitioner Nos.1 and 2 are *Bhaisur* of the informant Usha Kumari while petitioner no.3 Punam Devi@ Punam Kumari and petitioner no.4 Savita Devi@ Savita Kumari are the *Gotani* of the informant Usha Kumari.

It has been alleged by the informant that these petitioners including that of her husband began to torture for



procurement of one Bullet motorcycle as well as cash appertaining to rupees three lacs. It has further been disclosed that after becoming pregnant she has been taken to Motihari where she came to know that her husband is adamant to abort whereupon, she informed her *Maika* and after appearance of her parents, she was taken away.

It has been submitted on behalf of petitioners that husband is under custody. It has also been submitted that petitioners are separate from the husband of the informant. It has further been submitted that allegation has been attributed in omnibus manner.

On the other hand, learned Additional Public Prosecutor opposed the prayer and submitted that only those persons who have actively involved themselves in torturing the informant for procurement of Bullet motorcycle as well as rupees three lacs have been made an accused.

Considering the status of the petitioners coupled with nature of the allegation attributed against them, petitioners Upendra Rai, Dharmendra Rai@ Dharmendra Kumar, Punam Devi @ Punam Kumari, Savita Devi @ Savita Kumari are directed to be released on bail in the event of his arrest /surrender before the learned lower court within fortnight on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with



Tariyani P.S. Case No.91/2018 in terms of condition as laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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