

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28542 of 2018

Arising Out of PS. Case No.-532 Year-2016 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Bijendra Sharma, Son of late Anandi Sharma
 2. Sunil Sharma@ Sunil Kumar, Son of Bijendra Sharma
 3. Lalita Devi, Wife of Bijendra Sharma, All Resident of Village- Bhalropur, Police Station- Kumarkhand, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pavitar Devi, Wife of Bechan Sharma Resident of Village- Bhairavpur, Police Station- Kumarkhand, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend arrest in Complaint Case
No.532 of 2016, instituted for the offence under Sections
323,354,504/34 of the IPC.

Learned counsel for the petitioners submits that
petitioner no. 1 is devar of the complainant.

In the written report, it is alleged that petitioner no. 1
entered into the courtyard of the complainant, and attempted to
commit illegal act with her. Petitioner no. 2 and 3 are son and
wife of petitioner no. 1.

From the S.A. of the complainant which is available



with the complaint petition, it appears that she has leveled general and omnibus allegation against the petitioners. She has mentioned in her S.A. that petitioner no. 1 is her devar and both are living in the same house.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint Case No. 532 of 2016, to the satisfaction of the learned Sub Divisional Judicial Magistrate, Madhepura, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of



the petitioners.

(Sanjay Priya, J)

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