

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49391 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -MAHILA P.S. District- SIWAN

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1. Deena Nath Bharti, S/o Bishwanath Bharti alias Bishwanath Giri,
2. Sharda Devi, W/o Deenanath Bharti, Both are resident of Village-
Sakadi, P.S.- Jala, Distt- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2018

Heard the parties.

The petitioners seek anticipatory bail in connection with Sivam Mahila P.S.Case No. 15 of 2018, registered for offences punishable under Sections 341, 323, 120 (B), 377 and 302 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners, who are father-in-law and mother-in-law of the victim girl, is that the petitioners tortured mentally and physically and her husband forcibly made unnatural offence with the informant and forcibly aborted her six months of pregnancy.

Submission of the learned counsel for the petitioners is that the petitioners have been falsely implicated in this case due to



extort the money from the petitioners and specific allegation is against Pankaj Bharti, who committed unnatural offence with the informant. It is also submitted that the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Siwan in connection with Siwan Mahila P.S. Case No. 15 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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