

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.73646 of 2018**

Arising Out of PS. Case No.-2266 Year-2017 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Anita Devi, Wife of Lakhindra Prasad, Resident of Village- Sirauli, P.S.-  
Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, Wife of Lakhindra Prasad, Daughter of Ram Seval Bhagat,  
Resident of Village- Sirauli, P.S.-Madhuban, District-East Champaran. at  
Present Resident of Village- Bhagwanpur, P.S. Madhuban, District-East  
Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      21-12-2018                      Heard learned counsels for the petitioner and the  
complainant.

The petitioner is apprehending arrest in a complaint  
case wherein process has been directed to be issued after  
cognizance being taken for the offences punishable under  
Sections 494, 323, 406, 409A and 496/34 of the Indian Penal  
Code.



The prosecution case is that the complainant was married to Lakhindra Prasad about 13 years back. Subsequently, they were blessed with two children. It is alleged that the complainant was locked in the house by this petitioner and her husband. Thereafter the petitioner and the husband of the complainant performed marriage. It is further alleged that torture has also been inflicted upon the complainant.

Learned counsel for the petitioner submits that the thrust of accusation is against the husband of the complainant and there is no specific accusation against the petitioner. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by the learned counsel for the complainant that there is specific accusation of assault against the petitioner. However, he does not deny that the thrust of accusation is against the husband of the complainant.

Considering the fact that the accusation of assault has been levelled against the husband of the complainant and the petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, East Champaran at Motihari** in connection with **Complaint Case No. 2266 of 2017**, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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