

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30996 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -UCHAKAGAON District- GOPALGANJ

- =====
1. Haresh Chaudhary, son of late Sheopujan Chaudhary ,
 2. Kali Devi, wife of Haresh Chaudhary,
 3. Parbat Chaudhary, Son of Haresh Chaudhary,
- All are residents of village - Makudpur, P.S. - Uchakgaon, Dist. - Gopalganj.
4. Amrita Devi, wife of Sanjay Yadav, resident of village - Parsauni Khas, P.S. - Uchkgaon, Dist - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 18-06-2018 Prayer of the petitioner No.1 for grant of anticipatory bail has already been dismissed as having become infructuous by order dated 23.05.2018.

Heard learned counsel for the petitioner Nos.2, 3 and 4 and learned APP for the State.

Petitioner Nos.2, 3 and 4 apprehend their arrest in **Uchkagaon P.S. Case No.68 of 2018** instituted for the offence under Section(s) 341, 323, 380, 453 and 363-A Indian Penal Code.

Counsel for the petitioners submits that this is a case of matrimonial dispute. Husband, Sanjay Yadav, who is



Informant of this case, has ousted his wife, Amrita Devi, (petitioner No.4) and just to save his skin he has filed this case against the wife and her other family members. Counsel for the petitioners has further submitted that both the children are with the mother as the informant, who is father of the child, did not take care of either petitioner No.4 or the children.

In the written report, it is alleged that all these petitioners came to the house of the informant and took away certain articles as well as minor children. Petitioners have mentioned in para 7 of the bail petition that the petitioners are father-in-law, brother-in-law, and wife of informant.

In the facts and circumstances of the case, prayer of the petitioner Nos.2, 3, and 4 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the **petitioner Nos.2, 3 and 4, named above**, within six weeks from today in connection with **Uchkagaon P.S. Case No.68 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, IX, Gopalganj**, subject to the conditions as laid down under Section 438(2) 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 date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper 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.

JA/-
Rohit Kr.

(Sanjay Priya, J)

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