

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13565 of 2019

Arising Out of PS. Case No.-158 Year-2008 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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1. Damodar Mistry @ Devendar Mistry Son of Harihar Mistry
 2. Satendra Mistry @ Satyandra Mistry @ Satyendra Sharma Son of Harihar Mistry
 3. Harihar Mistry Son of Late Fitar Mistry
 4. Savita Devi Wife of Harihar Mistry
 5. Manju Devi @ Muju Devi Wife of Damodar Mistry
 6. Saroj Devi @ Saroja Devi Wife of Satendra Mistry @ Satyendra Mistry All Resident of Village - Atari (Gulni), P.S.- Pakribarawan, District - Nawada.

... .. Petitioner/s

Versus

1. State of Bihar
2. Pinki Devi Wife of Prakash Mistry D/o Vineshwar Mistry, R/o Village - Shekhopur Dih, P.S.- Shekhopur Sarai, District - Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-08-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Complaint Case No.158C of 2008 , registered for offences punishable under Sections 157 , 323, 341, 504, 379, 498(A), 307 of the Indian Penal Code.

Allegation against the petitioners is of demand of Rs.50,000/- and one splendour motorcycle, for which torturing and assaulting the complainant and ousting her from the house.

Submission of the learned counsel for the petitioners is that petitioner nos. 1 and 2 are brother-in-law (*Bhaisur*),



petitioner no.3 is father-in-law, petitioner no.4 is the mother-in-law and the petitioner nos. 5 and 6 are sister -in-law (*nanad*) and no specific allegation has been attributed against them.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that in this case notice was issued to O.P.no.2 and office notes discloses that ordinary notice upon O.P.no.2 was received by her personally as per the service report but no one appears on behalf of O.P.no.2 nor any Vakalatnm has been filed.

In such view of the matter, in the event of arrest or surrender before the learned court below, 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 the learned CJM, Sheikhpura in connection with Complainant Case No.158C of 2008, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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