

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23511 of 2019

Arising Out of PS. Case No.-310 Year-2018 Thana- COMPLAINT CASE District- Jamui

1. Kamaldeo Rai, aged about 30 years, Male, Son of Sri Surendra Rai, Resident of Village Lakhanpur, P.S. Jamui, District Jamui
2. Parmjeet Rai, aged about 23 years, Male, Son of Sri Surendra Rai, Resident of Village Lakhanpur, P.S. Jamui, District Jamui
3. Surendra Rai, aged about 60 years, Male, Son of Muso Rai, Resident of Village Lakhanpur, P.S. Jamui, District Jamui

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, aged about 29 years, Female, Wife of Sri Kamaldeo Rai, Resident of Village Lakhanpur, P.S. and District Jamui At present residing at Village + P.S. Malaypur, District Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Mahto

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-04-2019 Heard both sides.

Petitioners apprehend their arrest in Complaint Case No.310C of 2018 for the offences allegedly committed by the petitioners under Sections 354B, 379, 323, 504, 506, 500 and 34 of the Indian Penal Code.

The complainant alleged that she had gone to the court on 09.03.2018 to pursue her Complaint Case No.1530C of 2017 lodged against her husband and other family members. The husband and other family members of the complainant threatened her and asked her to compromise the case. While the complainant was returning, all the petitioners caught and abused her and also pulled her clothes.



Learned counsel for the petitioners submits that the petitioners are husband, brother-in-law and father-in-law of the complainant. The complainant is in the habit of filing petition and complaint case only to put undue pressure on her husband and other family members. It is further submitted that the occurrence is said to have taken place on 09.03.2018 but the complainant took three days time to lodge the complaint case although the civil court or the police station are adjacent to the place of occurrence.

Taking into consideration the facts that the occurrence is said to have taken place on 09.03.2018 but the complainant did not either report this fact to the court in which her case was pending nor inform the police on the same day whereas the police station is in the vicinity of the place of occurrence, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on 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 learned Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No.310C of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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