

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80605 of 2018

Arising Out of PS. Case No.-773 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Ajay Singh and Anr son of Late Shivdhar Singh
 2. Indu Devi wife of late shivdhar Singh both are resident of village- Dumra, p.s. Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nisha Devi wife of vijay Singh, resident of village- Dumra, P.S.- Belsand, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-05-2019 This application, for grant of anticipatory bail, arises out of Complaint C-1/773/16, Tr. No. 4172/2017 disclosing offences under Sections 323, 448, 149, 380, 506 and 498(A) of the Bihar Prohibition of Excise Act, 2016.

Petitioners happen to be brother in law and mother in law of the complainant and allegation against them is of tortured and cruelty to the complainant and further allegation against petitioner no. 2 is that she asked the complainant to leave the house and reside with her husband, for which, a Panchayati was held but accused persons started assaulting her.

Submission of learned counsel for the petitioners is that as a matter of fact, the matter relates to property dispute between



the petitioner no. 2 and his son and complainant being the wife of son of petitioner no. 2 has lodged this false and concocted case, which will appear from the fact that the husband has not been made accused in this case. Further submission is that there is no allegation of demand of dowry.

Heard learned A.P.P. also. .

In this case earlier notice was issued to complainant – opposite party no. 2 and office not disclosed that the notice was personally received by the complainant – opposite party no. 2, however, none has appeared on her behalf.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Sadar, Sitamarhi, in connection with Complaint C-1/773/16, Tr. No. 4172/2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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