

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.755 of 2019

Arising Out of PS. Case No.-50 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. Shashi Kant Singh, Son of Rajnath Singh
2. Rajnath Singh, Son of Late Ram Surat Singh Both Resident of Village - Nasej, Police Station - Kudra, district - Kaimur Bhabua

... .. Petitioner/s

Versus

1. State of Bihar
2. Sabita Devi, Wife of Shashi Kant Singh Both Resident of Village - Nasej, Police Station - Kudra, district - Kaimur Bhabua Informant

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 01-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Mahila (Bhabua) P.S. Case No.50 of 2018 for the offence punishable under Sections 498(A), 323/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The allegation against the petitioners, as per the complaint lodged by the complainant, Savita Devi, is that marriage of the complainant was solemnized with petitioner No.1 in 2016. On 27.08.2018, at about 7:00 A.M. in the morning, the petitioners along with other accused persons assaulted the complainant-cum-informant. Further allegation is



that the petitioners along with other accused persons did not provide any food and soap for bathing to the informant.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as prior to the lodging to the present complaint, i.e., 28.08.2018, the petitioner No.1 had lodged Kudra P.S. Case No.369 of 2018 against the father of the complainant and other family members stating therein that they arrived at the house of the petitioner No.1 and assaulted his family members with lathi, danda etc causing them injury. He further submits that petitioner is ready to keep his wife, i.e., complainant with all dignity and care. However, upon notice being issued by this Court, the Opposite Party No.2 did not appear for any reconciliation.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is case and counter case between the parties and the allegation against the petitioners are general and omnibus in nature and further despite service of notice, Opposite Party No.2 did not come forward for any kind of reconciliation, as such, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, both the petitioners, above named, are



directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kaimur at Bhabua, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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