

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42237 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Rahul Jaiswal Son of Munna Jaiswal, Resident of Village - Sihoria, P.S.- Chand, District- Kaimur (Bhabhua)
2. Mithilesh Jaiswal Son of Munna Jaiswal, Resident of Village - Sihoria, P.S.- Chand, District- Kaimur (Bhabhua)
3. Sumitra Devi Wife of Munna Jaiswal, Resident of Village - Sihoria, P.S.- Chand, District- Kaimur (Bhabhua)

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-09-2019 Heard Learned counsel for the petitioners and
learned APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Chainpur P.S. Case No. 68 of 2019 registered for the offences punishable under Sections 363, 366/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners and the informant are closely related to each other. The allegation against petitioner no. 1 is that he had taken away the wife of the informant but the wife has returned and she has made a statement under Section 164 Cr.P.C. saying that she had



a quarrel with her husband and for that reason she had left her matrimonial home and was living with her Mausi.

It is submitted that for the family of dispute between the informant and his wife, these petitioners have made accused.

Learned APP for the State opposed the prayer of anticipatory bail of the petitioners.

However, considering the facts and circumstances, considering the nature of relationship between the parties and the fact that the victim lady has returned and has made her statement in which she has not implicated these petitioners, let the petitioners above named, in the event of their arrest or surrender within a period of four weeks from today in connection with Chainpur P.S. Case No. 68 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Kaimur at Bhabhua, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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