

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5493 of 2018

Arising Out of PS. Case No.-563 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Sunita Devi and Ors wife of Hiralal Rajak
 2. Hira Lal Rajak son of Late Sukkar Rajak
 3. Bittu Rajak son of Hiralal Rajak All are Resident of Village- Mohadipur, P.S. Bath, District- Bhagalpur.

... .. Petitioners

Versus

1. State Of Bihar and Anr
2. Sabitri Devi, Daughter of Babulal Paswan, wife of Buddhan Rajak, Resident of Village- Nirpur, P.O.- Madhusudanpur, District- Bhagalpur.

... .. Opposite Partys

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha
For the Opposite Party/s : Mr.Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

13 10-04-2019 Perused the inquiry report of the learned Registrar General, Patna High Court produced before me in sealed cover.

Let the same form part of the record.

Heard learned counsel for the petitioners. Though notice has been served upon the opposite party no. 2 and she is being represented through lawyer, on call, no one appears on her behalf.

Learned counsel for the petitioners submitted that the petitioners are being prosecuted in a complaint case registered inter alia under Sections 307 and 498-A of the Indian Penal Code. They are the in-laws. The husband of the informant has already been granted pre-arrest bail by a Bench of this Court



vide order dated 02.05.2018 passed in Cr. Misc. No. 26966 of 2018.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners. However, he conceded that the husband of the complainant namely, Budhan Rajak has already been granted pre-arrest bail by this Court.

Since the case of the petitioners stands on better footing than that of Budhan Rajak, in the event of arrest or surrender before the court below, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 563 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

pradeep/sneha

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