

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43649 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Binod Singh, Son of Late Kunj Singh
 2. Sakuna Devi, Wife of Binod Singh
Both Resident of Village- Nav Toliya, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Devi, Wife of Abhay Singh @ Dablu Singh, Resident of Village- Nav Toliya, P.O.- Latra, P.S.- Gopalpur, District- Bhagalpur. At present address- Daughter of Late Domi Singh @ Udit Narayan Singh, Resident of Village- Dina Chakla, P.S.- Pasraha, District- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.
For the Opposite Party no.1 : Mr.Satyavrat Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 20-09-2019 Heard learned counsel for the petitioners and learned

APP for State. No one appears on behalf of the opposite party

no.2.

The petitioners in this case are seeking anticipatory
bail in connection with Complaint Case No.89C of 2018
registered for the offences punishable under Section 498(A) of
the Indian Penal Code.

Learned counsel for the petitioners submits that
perusal of the entire complaint case would show that it is a
peculiar case in which wife of petitioner no.1 who is the



complainant had solemnized marriage on her own with the elder brother of petitioner no.1 and thereafter had gone to live with him at Ludhiyana. It appears that some dispute arose between the elder brother of petitioner no.1 and his estranged wife and thereafter she came back to the place of petitioner no.1 where she alleged that the petitioner no.1 did not allow him to live in the house.

Learned APP for the State is present and has endorsed the facts which are appearing from the records.

In the given facts and circumstances of the case, where this Court finds that there is no specific allegation of commission of torture and cruelty against the petitioners and that the wife of petitioner no.1 had herself left petitioner no.1 and was living with elder brother of petitioner no.1, let provisional bail granted to the petitioners on 16.07.2019 be confirmed. The petitioners shall be allowed to continue on the previous bail bonds.

(Rajeev Ranjan Prasad, J)

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