

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51321 of 2019

Arising Out of PS. Case No.-852 Year-2018 Thana- DEHRI TOWN District- Rohtas

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1. MADAN RAI Son of Late Ramsakal Rai Resident of Krishna Bhagwanpur, Gali No.7, Near Samane Ghat, Police Station-Lanka, District-Varanasi (U.P)
 2. Nirmala Devi @ Nirmala Rai Wife of Madan Rai Resident of Krishna Bhagwanpur, Gali No.7, Near Samane Ghat, Police Station-Lanka, District-Varanasi (U.P)
 3. Prashant Rai @ Banti Rai Son of Madan Rai Resident of Krishna Bhagwanpur, Gali No.7, Near Samane Ghat, Police Station-Lanka, District-Varanasi (U.P)
 4. Anupam Rai @ Pankaj Rai Son of Madan Rai Resident of Krishna Bhagwanpur, Gali No.7, Near Samane Ghat, Police Station-Lanka, District-Varanasi (U.P)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Amrendra Kumar Singh Son of Late Ramchandra Singh Resident of Mohalla-New Singhaury, Narayan Tola, Ward No.3, Police Station-Dalmianagar, District-Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr.Lakshmi Kant Sharma
For the Opposite Party/s :		Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 Heard learned Senior Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Dehri (Dalmianagar) Police Station Case No. 852 of
2018, disclosing offences under Sections 406/420/384/506/120-
B/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First



Information Report, is that the petitioners, being the relative of the wife of the informant, instigated the wife of the informant, due to which she has left the house of the informant and is living with the petitioners, who are mausa, mausi and mausera brothers of the wife of the informant. It has also been alleged that wife of the informant had fled away along with ornaments, cash and also withdrew Rs. 6,00,000/- from their joint bank account.

Learned Senior Counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as from perusal of the First Information Report, it is evident that there is a dispute between the husband and the wife and the wife has allegedly taken the money and other articles of the informant, who is her husband and the only allegation against these petitioners is that they have given shelter to the wife of the informant at Banaras. The demand of *rangdari*, as alleged in the First Information Report, is also concocted and imagination of the informant, submits learned Senior Counsel. He further submits that wife of the informant has been granted anticipatory bail by this Court by order, dated 13.08.2019, passed in Criminal Misc. No. 50281 of 2019.

After having heard learned Counsel for the parties and



taking into consideration the fact that there appears to be dispute between the wife and the husband and the petitioners are only the relatives of the wife of the informant, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri, Rohtas, in connection with Dehri (Dalmianagar) Police Station Case No. 852 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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