

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56304 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- BARGAINIA District- Sitamarhi

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1. SHAIL DEVI W/O Late Vishwanath Prasad Resident of Village- Bairgania (Near Post office), P.S.- Bairgania, District- Sitamarhi (Bihar).
 2. Vibha Kumari W/O Anil Kumar, D/O Late Vishwanath Prasad At Present resident of village and P.S.- Chauriya, District- Motihari (west Champaran).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Nitu Kumari D/O Sri Chandra Sah, W/O Bijendra Kumar R/O Village and P.S.- Bairgania, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-11-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Bairgania PS Case No.41/19 (GR No.882 of 2019) , registered for offences punishable under Sections 494, 323, 498A, 504, 506/34 of the Indian Penal Code.

As per FIR, petitioners are said to be mother-in-law and *Nanad* of the informant and there is allegation against them that they abused and assaulted the informant and ousted her from the house and also taken away her children.

Submission of the learned counsel for the petitioner is that there is general allegation against the petitioners as well



as the husband and considering the same they had been granted provisional bail earlier.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail stating that she had made several representations to the authorities concerned against the action of the accused persons , as they are not allowing the informant to go to the school even. .

Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed and the provisional bail granted to the petitioner, vide order dated 5.9.2019 is confirmed on condition that they shall file an undertaking in the court below that they will not try to restrict the movement of the informant.

(Vinod Kumar Sinha, J)

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