

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62017 of 2019

Arising Out of PS. Case No.-121 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. SUNAINA DEVI W/o Pramod Kushwaha Resident of Village - Ram Nagar Susaha Tola, P.S.- Piparasi, Dist.- West Champaran.
 2. Renu Devi @ Renu Kumari D/o Pramod Kushwaha Resident of Village - Ram Nagar Susaha Tola, P.S.- Piparasi, Dist.- West Champaran.
 3. Chandeshwar Kushwaha @ Chandeshwar Mahto Son of Late Khiru Mahto Resident of Village - Ram Nagar Susaha Tola, P.S.- Piparasi, Dist.- West Champaran.
 4. Kailashi Devi W/o Chandeshwar Kushwaha Resident of Village - Ram Nagar Susaha Tola, P.S.- Piparasi, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi W/o Late Arvind Kushwaha Resident of Village - Manjhariya (Tutuhiya), P.S.- Piparasi, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 121 of 2018, in which cognizance under Sections 341, 323, 504, 354 and 34 of the Indian Penal Code has been taken by the learned Magistrate.

The allegation against the petitioners are that petitioner No.1 is wife of Pramod Kushwaha, petitioner No.2 is



daughter of Pramod Kushwaha, petitioner No. 3 is father of Pramod Kushwaha, and petitioner No. 4 is mother of Pramod Kushwaha, who married with a widow lady i.e. complainant. When the complainant tried to enter into the house of the petitioners she was objected and was abused by the accused persons.

Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case due to family animosity inasmuch as the complainant is second wife of Pramod Kushwaha and has solemnized marriage during the subsistence of marriage of the petitioner No. 1 with Pramod Kushwaha. Learned counsel for the petitioners further submits that no offence under Section 354 of the I.P.C. is made out from bare perusal of the complaint.

After having heard learned counsel for the parties and taking into consideration the fact that there appears to be family dispute between the parties, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the Court below within a period of four weeks from today, be released on bail upon furnishing bail bond



of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Bagaha, West Champaran in connection with Complaint Case No. 121 of 2018; subject to the condition as laid down hereinabove and under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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