

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69631 of 2019

Arising Out of PS. Case No.-886 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. KANAK MISHRA @ KANAK LATA MISHRA Wife of Santosh Mishra Resident of Village - Mauza Kalyanpur, P.S.- Barauli, District- Gopalganj, at present Ground Floor, New Plaza Karuna, Manjhi Road, Talpukar Barrakpore, Kolkata- 700120, P.S.-Barrakpore, District- 24 Paraganas, State - West Bengal
 2. Suman Pandey Wife of Uday Shankar Pandey Resident of Village - Mauza Kalyanpur, P.S.- Barauli, District- Gopalganj. At present Revtith, P.S.- Baikunthpur, District- Gopalganj, Presently residing at Adarsh Nagar, Near Adarsh School, Agarpara, Kolkata-700109, P.S.- Ghola, District- 24, Parganas, North, State - West Bengal

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shobha Upadhyay Wife of Brajesh Upadhyay, D/O - Birendra Mishra Resident of Village - Kalyanpur, P.S.- Barauli, District- Gopalganj, Presently residing at Harkhauli, Ward No. -2, P.S.- Mirganj, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyama Kant Singh
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406 and 498A of the Indian Penal Code.

The case of complainant Shobha Upadhyay, is that her marriage was solemnized with Brajesh Upadhyay on 31.01.2013 in accordance with Hindu Rites and Customs. It is alleged that



in March, 2016, while it was come in the knowledge of the accused petitioners about her kidney failure, the behaviour of the accused persons became changed and they did not want to spend money on her and thereafter, her father sold his parental land worth Rs. 20 lacs and got transplanted her kidney. It is further alleged that when Rs. 9 lacs granted in medical claim and she suggested to give the amount to her father as her father got transplanted her kidney after selling his property, husband petitioner assaulted her and in collusion with other accused persons ousted from her matrimonial home after snatching her belongings and other accused persons also wanted to solemnize second marriage of her husband petitioner.

Learned counsel for the petitioner submits that petitioner nos. 1 and 2 are the married sister-in-law of the complainant and she is residing in their respective Sasural. He submits that there is general and omnibus allegation has been levelled against the petitioners. He submits that there is specific allegation against her husband Brajesh Upadhyay, father-in-law and mother-in-law and other relatives of the husband.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks



from the date of receipt of the order, be released on anticipatory 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 A.C.J.M.-XVI, Gopalganj in connection with Gopalganj Complaint Case No. 886 of 2019 (Trial No. 2162 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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