

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78501 of 2019**

Arising Out of PS. Case No.-42 Year-2019 Thana- BHAPTIAHI District- Supaul

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1. Niraj Kumar, male, aged about 47 years, S/o Late Satya Narayn Yadav Resident of Village- Kodhli, Police Station- Bhaptiyuahi, District- Supaul
  2. Anita Devi, Female, aged about 46 years, W/o Niraj Kumar Resident of Village- Kodhli, Police Station- Bhaptiyuahi, District- Supaul
  3. Sunita Devi, Female, aged about 65 years, W/o Late Satya Narayan Yadav Resident of Village- Kodhli, Police Station- Bhaptiyuahi, District- Supaul
  4. Nikita Kuamri @ Nikki, Female, aged about 25 years, D/o Niraj Kumar Resident of Village- Kodhli, Police Station- Bhaptiyuahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar Singh  
For the State : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 16-12-2019**

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Bhaptiyahi PS Case No. 42 of 2019 dated 21.05.2019 instituted under Sections 498(A)/34 of the Indian Penal Code.

3. The petitioners being in-laws of the informant are accused of misguiding her husband. Against the petitioners, there is allegation of attempt to rape and also to burn the informant.



4. Learned counsel for the petitioners submitted that they are in-laws and the marriage took place 13 years prior to lodging of the case. It was submitted that the informant is the younger sister of the petitioner no. 2 and she has made unfounded allegations on her character. Learned counsel submitted that a co-ordinate Bench has granted the privilege of anticipatory bail to the husband Dhiraj Kumar on 03.12.2019 in Cr. Misc. No. 78769 of 2019. Learned counsel submitted that the husband has filed Divorce Case No. 6 of 2019 on 29.01.2019 and as a counter blast, the present case has been lodged. Learned counsel submitted that the informant has deserted the matrimonial home and was living with her parents since long.

5. Learned APP submitted that the petitioners being in-laws are also responsible for the torture meted out to the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in Bhaptiyahi P.S. Case



No. 42 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands disposed off.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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