

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74161 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- MAHILA P.S. District- Sitamarhi

1. Agar Devi Wife of Late Rameshwar Pandit,
2. Sunita Devi, Daughter of Late Rameshwar Pandit.
3. Anita Devi, Daughter of Late Rameshwar Pandit.
4. Budhan Pandit, Son of Late Rameshwar Pandit,
Al resident of Village- Karun, P.S. Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-04-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Sitamarhi Mahila P.S.Case no.09 of 2018 dated 13.3.2018 , registered for offences punishable under Sections 341, 323, 498(A), 494, 34 of the Indian Penal Code.

Petitioner no.4 is the husband, petitioner no.1 is the mother of petitioner no.4, petitioner nos.2 and 3 are the sisters of petitioner no.4. The allegation is of subjecting the wife to cruelty with respect to demand . Allegation against them is that the petitioner no.4 has married with another girl and ousted her from the house. It further appears that in this case notice was issued to O.P.no.2 and the O.P.no.2 has appeared by filing



Vakalatnama. It is submitted that the marriage was solemnized 20 years ago and though he has re-married with another girl but all the other allegations of ousting and assaulting her are false and concocted and he is still ready to keep her.

Nobody appears on behalf of the O.P.no.2. It appears that she had appeared through the learned counsel by filing Vakalatnama.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Sitamarhi Mahila P.S.Case No.09 of 2018 dated 13.3.2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if any maintenance case is filed by the informant, the petitioner has to appear in the same and co-operate in disposal of the case and further he will abide by order passed in that case, otherwise O.P.no.2 shall be at liberty to move for cancellation of his bail



bond.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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