

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7548 of 2020

Arising Out of PS. Case No.-2200 Year-2014 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. MUNNA KUSHWAHA Son of Ganesh Kushwaha Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 2. Bhuval Kushwaha @ Bhuval Son of Not Mention Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 3. Rinku Devi @ Rinku Kushwaha Wife of Munna Kushwaha Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 4. Subhawati Devi @ Subhawati Wife of Bhuval Kushwaha @ Bhuval Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 5. Bishram Kushwaha Son of Late Tilak Bhagat Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 6. Lilawati Devi Wife of Balram Kushwaha Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 7. Santosh Kushwaha @ Santosh @ Santosh K. Son of Bhuval Kushwaha @ Bhuval Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.
 8. Sunil Kushwaha @ Sunil Kumar @ Sunil K. Son of Bhuval Kushwaha @ Bhuval Resident of Village - Nawka Tola, P.S.- Vijaypur, Distt - Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Baliram Kushwaaha Son of Late Rajdeo Kushwaha Resident of Village - Langada, P.O. - Bariyarpur, P.S.- Devariya, Distt - Devariya O.P.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shyama Kant Singh, Advocate
For the Opposite party	:	Mr. Pankaj Kumar Dubey, Advocate
For the State	:	Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners, learned

counsel for the opposite party no. 2 and learned Additional

Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in



connection with Complaint Case No. 2200 of 2014, Trial No. 1917/2019 registered under Sections 498A and 406 of the Indian Penal Code.

Learned counsel for the petitioners submits that all these petitioners are the family of the co-sharers of the father-in-law of the opposite party no. 2 and they have no concern with the affairs of the family of the father-in-law of opposite party no. 2. Learned counsel further submits that petitioners have been falsely implicated in this case for no rhyme or reason and the petitioners have got no criminal antecedent.

Learned counsel for opposite party no. 2 as well as A.P.P. for the State have opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that all these petitioners are the family of the co-sharers of the father-in-law of the opposite party no. 2 and they have no concern with the affairs of the family of the father-in-law of opposite party no. 2 and the petitioners have been falsely implicated in this case for no rhyme or



reason, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj, in connection with Complaint Case No. 2200 of 2014, Trial No. 1917/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

Learned counsel for the petitioners has drawn the attention of this court that in the court of learned Sessions



Judge re-conciliation proceeding was taken on in which the family of the opposite party no. 2 has given it to understand that if the opposite party no. 2 wants to live in her Sasural, she will be kept there with full dignity and care.

Let it be recorded that it will be open for the opposite party no. 2 to seek her claims in accordance with law and grant of anticipatory bail to the petitioners shall not cause any prejudice to her claims as per law.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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