

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59758 of 2019

Arising Out of PS. Case No.-1793 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Ajay Kumar @ Ajay Kumar God @ Ajay Kumar Gaur Son of Satyadeo Prasad Gaur Resident of Village-Pankha Toli (Litchi Bagan), P.S.-Ramna, District-Muzaffarpur.
 2. Sushma Devi Wife of Ajay Kumar @ Ajay Kumar God @ Ajay Kumar Gaur Resident of Village-Pankha Toli (Litchi Bagan), P.S.-Ramna, District-Muzaffarpur.
 3. Navin Kumar Son of Sachidanand Sinha Resident of Village-Kabir Road, Naveen Colony, P.S.-Banuchapar (O.P), District-West Champaran.

... .. Petitioners

Versus

1. The State Of Bihar
2. Mira Kumari Srivastava Wife of Chitish Kumar Srivastava Resident of Ward no.14 Boriyari Road, P.S-Gopalganj, District-Gopalganj.
3. Tulip Kumari wife of Mayank Kumar Gaur, D/O Chitish Kumar Srivastava, resident of Ward No.14, Bonyari Road, P.S.- Gopalganj, District- Gopalganj

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. SNP Sinha, Sr. Advocate Mr.Jitendra Narain Sinha, Advocate Ms. Rashmi Bharti, Advocate
For the State	:	Mr.Tarkeshwar Nath Thakur, Advocate
For OP No. 2	:	Mr. Vishabjeet Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 04-03-2020 Heard Mr. SNP Sinha, learned senior counsel for the

petitioners, Mr. Tarkeshwar Nath Thakur, learned Additional

Public Prosecutor for the State and Vishabjeet Kumar Mishra,

learned counsel for opposite party no.2.



The petitioners seek pre-arrest bail in connection with Complaint Case No.1793 of 2018 registered under Sections 498A and 406 of the Indian Penal Code.

Mr. SNP Sinha, learned senior counsel appearing for the petitioners submitted that the petitioners being in-laws have been implicated in the case merely on the allegation that being fully aware that the husband of the complainant Mayank Kumar Gaur was suffering from epilepsy, they did not disclose the said fact to the complainant or her parents prior to her marriage.

Learned counsel appearing for the complainant-opposite party no.2 has opposed the prayer for grant of pre-arrest bail to the petitioners. He submitted that the complainant is undergoing serious mental trauma due to the fact that her husband is mentally unstable and is suffering from chronic epileptic disorder.

Regard being had to the nature of allegations and the submissions advanced at the bar, in the event of arrest or surrender before the court below, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gopalganj in Complaint Case No.1793 of 2018/ Trial



No.1890 of 2019, subject to the conditions as laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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