

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78111 of 2019

Arising Out of PS. Case No.-453 Year-2019 Thana- COMPLAINT CASE District- Jamui

RAJESH MISTRY @ RAJESH KUMAR MISTRY, aged about 23 years,
Male, Son of Ashok Mistry Resident of Village- Charan, P.S.- Sikandra,
District- Jamui ... Petitioner

Versus

1. THE STATE OF BIHAR
2. Ranju Devi, aged about 36 years, Female, Wife of Suresh Pandit, Resident of Village- Charan, P.S.- Sikandra, District- Jamui ... Opposite Parties

Appearance :

For the Petitioner : Mr. Amar Prakash, Adv.

For the Opposite Parties : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. 453C of 2019 registered under Sections 147, 148, 149, 323, 341, 504, 452 and 354 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that complainant/opposite party no. 2, Sarswati Devi, along with her husband, Ashok Mistry, were engaged in domestic work in the house, at that time, the petitioner (Rajesh Mistry), along with four others, named in the complaint petition, entered in the house and started to cause assault to her husband, Ashok Mistry. On protest, Nitish Mistry, Suchit Mistry, Ashok Mistry and Sarswati Devi pulled her husband in dark place with intention to kill him through pistol. At that time, petitioner (Rajesh Mistry) on the point of pistol unfolded her saree and started to press her breast. Cause of



action is quarrel as took place in between the children of both the parties.

Submission is that mother of the petitioner has lodged Sikandra P.S. Case No. 37 of 2019 on 11.02.2019 for the offence under Section 366/34 of the Indian Penal Code regarding kidnapping of the sister of the petitioner, due to that reason, after four days of the alleged occurrence, complainant/opposite party no. 2 lodged the present complaint case.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 453C of 2019 shall 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 Sri M.K. Pandey, Judicial Magistrate, 1st Class, Jamui, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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