

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40457 of 2020

Arising out of PS. Case No.-237 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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1. Sanjeev Kumar Chaudhary @ Sanjeev Kumar Choudhary, S/o Late Navin Chandra Chaudhary, Resident of Mohalla- Anand Colony, P.S.- Banka (Town), District - Banka and Presently residing at Mohalla- Gandhi Nagar Ramna, P.S.- Motihari (Town), District- East Champaran at Motihari.
 2. Shakti Rani @ Shakti Rani Arya, W/o Sanjeev Kumar Chaudhary @ Sanjeev Kumar Choudhary, Resident of Mohalla- Anand Colony, P.S.- Banka (Town), District - Banka and Presently residing at Mohalla- Gandhi Nagar Ramna, P.S.- Motihari (Town), District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 23-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 26.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Motihari Town P.S. Case No. 237 of 2020, registered under Sections 341, 323, 498A, 354B and 504/34 of the Indian Penal Code.



The accusation is that marriage of the informant, Rashmi Jaiswal was performed in the year 2005 with Chandrabhan Jaiswal who is resident of Muhalla Bajaj Patti near Sona Hotel, Motihari. Her husband, Late Chandrabhan Jaiswal died on 28.02.2020 due to illness, thereafter, her Nandoshi, Sanjeev Kumar Chaudhary, petitioner no. 1 and Nand, Shakti Rani, petitioner no. 2 along with her father-in-law, Chandragupt Jaiswal started to torture her as she has no issue from the wedlock of her husband and all attempted to dispossess from her property. On 12.03.2020, her Nandoshi, Sanjeev Kumar Chaudhary, petitioner no. 1, Nand, Shakti Rani, petitioner no. 2 and father-in-law, Chandragupt Jaiswal caused injury to her, thereafter, informant informed her parents and she was taken to Sadar Hospital for her treatment. Again, on 20.03.2020, her Nandoshi, Sanjeev Kumar Chaudhary, petitioner no. 1, Nand, Shakti Rani, petitioner no. 2 and father-in-law, Chandragupt Jaiswal all caused injury to her, thereafter, she informed to her maika and she was taken to Sadar Hospital for her treatment. She was tortured again and again only to dispossess from her property.

Learned counsel for the petitioners submits that the petitioners are Nandoshi and married Nand of the informant and



due to dispute in family the petitioners have falsely been implicated in this matter.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case no. 237 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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