

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4726 of 2021

Arising Out of PS. Case No.-512 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. MADAN CHAUDHARY Son of Late Hardev Chaudhary Resident of Village- Saraiya, P.S.- Sahebganj, District- Muzaffarpur.
2. Lalan Chaudhary Son of Late Hardev Chaudhary Resident of Village- Saraiya, P.S.- Sahebganj, District- Muzaffarpur.
3. Nira Devi @ Mira Devi Wife of Lalan Chaudhary Resident of Village- Saraiya, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Suraj Narain Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2021 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no.2 has been arrested and, as such, he seeks permission to withdraw this application against petitioner no. 2.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 2.

Heard learned counsel for the petitioner no. 1 and 3 and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sahebganj P.S. Case no. 512 of 2020 instituted for the offence under Sections 341, 323, 504, 506, 308, 379 and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner no. 1 is husband of the informant and petitioner no. 3 is sistion-in-law of the informant, have tortured in various ways due to non-fulfillment of demand for maintenance of their children.

Learned counsel appearing on behalf of the petitioners as well as learned counsel appearing on behalf of the informant has submitted that now a good sense has been prevailed and the matter has been amicably settled between both the parties.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 and petitioner no. 3, namely, Madan Chaudhary and Nira Devi respectively on bail. Both the petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sahebganj P.S. Case no. 512 of 2020, they will be enlarged 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 Additional Chief Judicial Magistrate, 1st cum-Sub Judge, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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