

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77753 of 2019

Arising Out of PS. Case No.-6 Year-2014 Thana- GAYA COMPLAINT CASE District- Gaya

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1. Kiran Devi, aged about 35 years, female, Wife of Dilip Mistri.
 2. Dilip Mistri, aged about 40 years, male, Son of Raghu Mistri.
- Both are resident of Village - Ghirsindi Kala, P.O. - Nain Sagar, P.S. - Barachati, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Savita Devi, Daughter of Late Kailash Paswan, Wife of Surendra Paswan, Resident of Village - Ghirsindi Kala, P.O. - Nain Sagar, P.S. - Barachati, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 06-12-2021 Heard the counsel for the parties.

The petitioners, who are husband and wife amongst themselves, seek bail in anticipation of their arrest in connection with Complaint Case No. 6 of 2014 in which cognizance has been taken against them under Sections 323, 452, 380 and 504/34 of the Indian Penal Code.



This Court had directed for issuance of notice to opposite party No. 2, but the service report indicates that the opposite party No. 2 is not residing at the address given in the complaint petition.

According to the complaint petition, the petitioners are said to have entered the house of the complainant/opposite party No. 2 and abused and assaulted her. Certain personal belongings were also taken away.

It has been submitted on behalf of the petitioners that an absolutely false case has been lodged by the complainant/opposite party No. 2. The mother of the complainant/opposite party No. 2 had earlier sold a plot of land to petitioner No. 1, who is the wife of petitioner No. 2 and since then, they are in exclusive peaceful possession on the said plot of land. That piece of land also has been mutated in the name of petitioner No. 1. It has further been submitted that the present case is only an attempt at undoing such transfer of land to the petitioners.

Regard being had to the general nature of accusation and the background facts, the petitioners above-



named, in the event of their arrest or surrender before the learned Court below within a period of three weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Complaint Case No. 6 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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