

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20678 of 2023

Arising Out of PS. Case No.-521 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. NIRA DEVI Wife of Muneshwar Singh Resident of village - Dhandiha, P.S.- Koilwar, District - Bhojpur.
 2. Manisha Kumari @ Manisha Devi Wife of Prabhat Kumar Resident of village - Baga, P.S.- Sandesh, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Kumari Daughter of Muneshwar Singh Resident of village - Padura, P.S.- Sandesh, District - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 341, 504, 323, 120 of the Indian Penal Code.

The informant alleges that forty years back, her mother was married to Muneshwar Singh, further, Muneshwar Singh, after birth of the complainant performed second marriage with the petitioner No. 1 and ousted her mother, further, she was brought up at her maternal grandfather's place and next alleges that Muneshwar Singh withdrew an amount of Rs. 1,50,000/-



which her mother had deposited and when she went to meet her father, she was assaulted by the accused persons including the petitioner.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the petitioners are willing to return an amount of Rs. 1,50,000/- but the informant now is not willing to accept the said amount.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions, the petitioners are directed to be released on provisional bail, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhojpur Complaint Case P.S. Case No. 521 C of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



However, the learned Trial Court shall issue notice to the informant or through her lawyer call her before the Court to verify, as to whether, she intends to take back Rs. 1,50,000/- from the petitioner No. 1 and her husband or not and in the event if the informant refuses then in that event, the provisional bail granted to the petitioner shall be confirmed and in the event if the informant accepts the amount of Rs. 1,50,000/- then in that event also the provisional bail of the petitioners shall be confirmed.

(Satyavrat Verma, J)

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