

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65000 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. SINGHESHWAR MUKHIYA @ SIDHESHWAR MUKHIYA SON OF LATE YOGENDRA MUKHIYA RESIDENT OF VILLAGE- DASAUT NANKAR, PS- ALINAGAR, DISTT- DARBHANGA
2. MANGALI DEVI WIFE OF LATE YOGENDER MUKHIYA RESIDENT OF VILLAGE- DASAUT NANKAR, PS- ALINAGAR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ANILA DEVI WIFE OF SIGHESHWAR MUKHIYA RESIDENT OF VILLAGE- DASAUT NANKAR, PS- ALINAGAR, DISTT- DARBHANGA AT PRESENT ADDRESS DAUGHTER OF GULLY MUKHIYA, RESIDENT OF VILLAGE- MAHATWAR, PS- GHANSHYAMPUR, DISTT- DARBHANGA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-01-2024 Heard the parties.

2. Office points out that the notice has been personally received by the O.P. No.2 but nobody has entered appearance on her behalf.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 308, 494, 498A, 379, 354B and 34 of the Indian Penal Code.

4. Petitioners are said to have assaulted the O.P. No.2 and also ousted her out of her matrimonial house in association with



their family members.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioner no.1 is the husband of O.P. No.2 and petitioner no.2 is the mother-in-law of the O.P. No.2. It is further submitted that the petitioner no.1 was also made an accused in Complaint Case No.361 of 2019, by the O.P. No.2 for the same nature of offence. He further submits that the petitioner has been granted anticipatory bail in the said case by this Court and the petitioner agreed to pay Rs.3,000/- per month to the O.P. No.2(Annexure-3). He further submits that the petitioner is paying the same to the O.P. No.2. Petitioners have one criminal antecedent.

6. Learned APP for the State opposed the prayer for anticipatory bail.

7. 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 six weeks from today, on furnishing bail bond



of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ghanshyampur P.S. Case No.134 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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