

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47893 of 2014

Arising Out of PS.Case No. -712 Year- 2012 Thana -BUXAR COMPLAINT CASE District-
BUXAR

- =====
1. LALMUNI RAM S/O LATE RAM SWARUP RAM
 2. KALAWATI DEVI W/O LALMUNI RAM
 3. SANGEETA DEVI D/O LALMUNI RAM
ALL R/O VILLAGE- RAMPUR, P.S.- RAJPUR, DISTRICT- BUXAR
 4. SUNIL RAM @ BHOLA RAM, S/O RADHEY SHAYM RAM R/O
VILLAGE- IMILIYA, P.S.- DHINA, DISTRICT- CHANDAULI

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Adv.
For the Opposite Party/s : Mr. S.M.Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 17-04-2015

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

On account of arrest of petitioner no.1, Lalmuni
Ram, as disclosed by learned counsel for the petitioners, this
petition has become infructuous relating to petitioner no.2 and
is held so.

From the order impugned, it is apparent that for
kidnapping as well as committing rape over one of the
petitioner Sangeeta Devi by the complainant, a substantial
criminal case was launched on account of which Sessions Trial
No.107 of 2011 is going on and in the aforesaid background,
instant prosecution has been launched by the complainant
claiming himself to be husband of petitioner Sangeeta Devi and
further, shown having been aggrieved on account of her re-
marriage with the petitioner, Sunil Ram @ Bhola Ram at the

instance of her parents. However, from the complaint petition itself it is apparent that there happens to be non-disclosure with regard to performing of saptpati or marriage having taken place before the registrar rather it happens to be mere an eyewash as the same is claimed to be before Notary Public, not a competent authority under any of the law dealing with marriage.

That being so, petitioners Kalawati Devi, Sangeeta Devi, Sunil Ram @ Bhola Ram each are directed to be released on bail 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, Buxar in connection with Complaint Case No.712(c) of 2012 in the event of their arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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