

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52036 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -MAHILA PS District- BUXAR

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1. Swaminath Singh Son of Seju Singh,
2. Golden Devi Wife of Swaminath Singh Both Resident of village + P.S.-
Dhansoi, District Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-12-2015

Heard learned Counsel for the petitioners

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Buxar Mahila P.S. Case No. 26 of 2015 for offences alleged under Sections 420, 506 and 120-B of the Indian Penal Code.

Prosecution case as lodged by the informant victim, namely, Sangita Kumari is that she met the petitioner in a marriage ceremony at the house of her relative. The petitioner no.1 offered to marry his son Vikash Kumar with the informant, upon which she gave consent. Thereafter the informant met the said Vikash Kumar several times and indulged in physical relations with him. After some time when the parents of the informant went to the house of the petitioners for marriage negotiations, they

declined and refused to marry their son Vikash Kumar with the informant Sangita Kumari. The petitioner nos. 1 and 2 are father and mother of the said Vikash Kumar.

It has been submitted by the learned Counsel for the petitioners that the petitioners never promised the informant that their son Vikash Kumar will get married with the informant. The allegations made against them are totally false and malicious. In fact, there was a love affair between the informant Sangita Kumari and the said Vikash Kumar which did not culminate in marriage, hence false allegations has been leveled against the petitioner who are father and mother of the said Vikash Kumar. It has further been submitted that the petitioners have no criminal antecedent as is evident from paragraph -3 of this petition and no overt Act or specific allegations has been levelled against these petitioners.

Be that as it may, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of 6 weeks from the date of receipt/production of copy of this order, be released on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Buxar in connection with Buxar

(Mahila) P.S. Case No. 26 of 2015, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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