

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24329 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

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1. Sushil Kumar @ Sushil Kumar Sinha Son of Mahesh Prasad resident of Mohalla- Dundi bazar
 2. Hari Om Kumar Son of Raj Ballabh Mistry Resident of Mohalla- Bahri Begumpur kadamtal
 3. Pappu Kumar Son of Suresh Prasad Resident of Mohalla- Lal Imli, Lal Fatak, All are under PS Chowk City, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Prasad Sinha

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 08-08-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366,323,341,379,385,420 and 120B of the Indian Penal Code.

The prosecution case is that the informant was being chased by co accused Sunni Kumar while going to college. About six months prior to the lodging of the case Sunni Kumar and the petitioners surrounded the informant and asked her to marry Sunny Kumar otherwise her father and brother will be killed. The accused persons took the informant

to the office of the Registrar and got the marriage registered on 14.8.2015. Thereafter, Sunni Kumar used to demand dowry otherwise threatened the informant to compel her for flesh trade.

It is submitted by the learned counsel for the petitioners that the thrust of accusation is against Sunni Kumar. Admittedly, the marriage was performed before the Registrar with the consent of Sunni Kumar and the informant on 14.8.2015 whereas the present FIR was registered on 2.3.2016. Subsequently, the police altered provisions of IPC as under sections 323, 341, 385, 120B and 498A/34 IPC. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Mr. J.N. Thakur, learned APP, after going through the case diary, submits that the petitioners facilitated in commission of offence by taking the informant in the car.

Considering the delayed lodging of the case and the thrust of accusation against co accused Sunni Kumar, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with

two sureties of the like amount each to the satisfaction of learned
JM Ist Class, Patna City in connection with Chowk P.S. Case
No.43 of 2016 subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/ siddharth/-

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