

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39237 of 2016

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

- =====
1. Uma Devi, Wife of Om Prakash @ Om Prakash Yadav.
 2. Om Prakash @ Om Prakash Yadav. Son of Suryug Prasad Yadav. Both residents of Mohalla- Ghasiyari Tola, P.S.- Chowk, 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. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 27-10-2016

Heard both sides.

The petitioners apprehend their arrest in Chowk P.S. Case No. 43 of 2016, registered for the offences punishable under Sections 366, 323, 341, 379, 385, 420 and 120(B) of the Indian Penal Code which was later on converted into Sections 323, 341, 385, 120(B), 498(A) and 34 of the Indian Penal Code.

The informant made allegation that the petitioners who are parents of Sunny Kumar kidnapped her and forced her to accept her marriage with Sunny Kumar.

Learned counsel for the petitioners submits that the allegation of kidnapping is false and concocted. The informant herself solemnized love marriage with the son of the petitioners

and lodged the false case. No specific allegation is made against the petitioners. Sushil Kumar, Hari Om Kumar and Pappu Kumar have already been granted anticipatory bail as they were witnesses of the marriage before the Marriage Registrar.

Considering the nature of allegation made against the petitioners and the fact that the petitioners are mother and father of Sunny Kumar (husband of the informant), petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Sushant Ranjan, Judicial Magistrate 1st Class, Patna City, Patna, in connection with Chowk P.S. Case No. 43 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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