

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9434 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

- =====
1. Sita Devi, wife of Mohan Chaudhary
2. Mohan Chaudhary, Son of Babu Lal Chaudhary Both residents of
Village- S.D.O. Road, near G.A. High School, P.S.- Town Hazipur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha(App)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Hajipur P. S. Case No. 203/2015 registered for offences
punishable under Sections 363, 365/34 of the Indian Penal Code.

The prosecution case as lodged on the basis of
complaint/F.I.R. is that the complainant, Soni Kumari had lodged
Town P.S.Case No. 202/2015 against her husband and others for
cruelty due to demand of dowry, in which, her husband was
arrested but on the basis of compromise, her husband was
released on bail with condition to keep the complainant with care.
When the complainant with her father went to jail to receive her
husband but found that the accused petitioners kidnapped her
husband on tempo for the purpose of his second marriage.

Learned counsel for the petitioners submits that

earlier wife had lodged Town P. S. Case No. 202/2015 under Section 498A of the I.P.C. against her husband, Satrunjay kumar and others, which was compromised and in the said petition she has stated that her husband had already married with the girl Puja Kumari. The petitioners are mother and father of said Puja Kumari. He further submits that the allegations upon the petitioners are unfounded as the allegations are false and Section 363 is not made out against them.

However, learned A.P.P. for the State submits that the petitioners are named in the F.I.R. (Complaint), hence, opposes the prayer for bail.

Be that as it may, since the matter relates to two marriages of the alleged kidnapped husband and the petitioners are father and mother of the second wife, Puja Kumari, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sadar Hajipur P.S. Case No. 203/2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--