

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28397 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -RUNISAIDPUR District- SITAMARHI

=====

1. Baidya Nath Sahni S/o Chulhai Sahni
2. Janki Devi W/o Baidyanath Sahni
Both resident of Village- Koahi, P.S.- Runnisaidpur, District- Sitamarhi.
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
Mr. Virendra Kumar
For the Opposite Party/s : Mr. Braj Kishore Prasad

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 27-07-2016 Heard Sri Alok Kumar Alok, learned counsel, who was assisted by Sri Virendra Kumar, learned counsel for petitioners and learned Addl. Public Prosecutor.

Two petitioners, who are father and mother of the main accused of the case apprehending their arrest in Runisaidpur P.S. Case No. 30 of 2016 registered for the offence under Sections 376 & 504 of the Indian Penal Code and Sections 3 & 4 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short “SC/ST Act”), have prayed for grant of anticipatory bail.

It was submitted by learned counsel for petitioners that in the complaint case itself, it was alleged that informant of the present case was having illicit relationship with the son of the petitioners since 2014 and thereafter, due to said relationship, she

conceived, however; the son of the petitioners refused to marry the informant. Ofcourse, sections of SC/ST Act have been incorporated in the F.I.R., according to learned counsel for petitioners, those allegations are only ornamental in nature. In any event, it was argued by learned counsel for petitioners that it was not a case that petitioners have connived with their son to commit such offence.

Fact remains that in this case, only complaint was lodged, which was referred to the police and thereafter, the present F.I.R. was lodged. The petitioners being father and mother of the main accused, having no direct accusation, are entitled for privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Baidya Nath Sahni and Janki Devi be enlarged 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, Sitamarhi in connection with Runisaidpur P.S. Case No. 30 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

Anay

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