

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9011 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI
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1. Pratima Devi, wife of Rajeev Kumar Ranjan,
 2. Rambadan Kumar, son of late Ateshwar Paswan, both resident of village- Sanha Paschhim, P.S. Sahebpur Kamal, District- Begusarai.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 17-05-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Sahebpur Kamal P.S. Case No.126 of 2016 instituted for the offence under Section(s) 467, 468 and 420 Indian Penal Code and Section 6 of the Child Marriage Act.

As per allegation in the written report, the Informant, who is the present Mukhiya, received an application from Munni Kumari for registration of marriage with affidavit bearing no.1591 dated 17.05.2016 from the office of the Executive Magistrate, Balia, showing the age of the applicant 19 years. During entry in register, it was detected that such entry has been made earlier and on verification of birth certificate it was found that the date of birth of Munni Kumari is 05.08.2001. The



informant alleged that Ex-Mukhiya had forwarded the application with affidavit in order to falsely implicate the informant in making double registration of Munni Kumari under KANYA VIVAH YOJNA.

It has been submitted on behalf of the petitioners that the petitioner No.1 is Ex-Mukhiya and petitioner No.2 is witness on the affidavit. Father and mother of the beneficiary, Munni Kumari, have already been granted anticipatory bail by the court below. It is further submitted that the instant case has been filed by the present Mukhiya against the petitioner No.1 only due to political rivalry since she is Ex-Mukhiya.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Sahebpur Kamal P.S. Case No.126 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM V, Begusarai, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and



shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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