

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73 of 2017

Arising Out of PS.Case No. -280 Year- 2012 Thana -BIRAUL District- DARBHANGA

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Chano Devi, W/o Late Ram Balak Paswan, R/o Village- Kaladih, P.S.-
Biraul, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.1147 of 2017

Arising Out of PS.Case No. -280 Year- 2012 Thana -BIRAUL District- DARBHANGA

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Ashok Yadav, Son of Sri Brahmdeo Yadav, Resident of Village-Adhlayar,
Police Station-Jamalpur, District-Darbhangha.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.73 of 2017)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

(In Cr.Misc. No.1147 of 2017)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 12-04-2017 Both the aforesaid applications arise out of the same P.S.

case bearing Biraul P.S. Case No.280 of 2012 registered under

Sections 365 and 366 of the Indian Penal Code. Therefore, both

the aforesaid applications have been heard together and are being

disposed of by this common order.



The accusation of the informant Kamlesh Yadav is that in the night of 18/19.09.2012, his daughter-in-law Chandni Devi was sleeping in the courtyard near her mother-in-law. Early in the morning, when the son of the informant woke up to urinate then he found that Chandni Devi was not present in the courtyard while the slippers of two persons and pieces of her broken bangles were found there. In course of search of Chandni Devi, the informant came to know that Hukum Yadav, Kari Yadav and the petitioner Ashok Yadav (in Criminal Misc. No.1147 of 2017), under conspiracy, have kidnapped his daughter-in-law Chandni Devi and Kari Yadav was saying openly that he has kidnapped his daughter-in-law Chandni Devi.

Learned counsel appearing on behalf of the petitioner Chano Devi (in Criminal Misc. No.73 of 2017) submits that, in fact, in course of returning from Vaishno Devi, Chandni Devi, the daughter-in-law of the informant, met this petitioner and showed her helplessness and, accordingly, this petitioner carried her and arrange her marriage with the petitioner Ashok Yadav (in Criminal Misc. No.1147 of 2017) but Chandni Devi was not satisfied and, thereafter, her marriage was performed with Anil Yadav, the son of the informant, due to that reason, this petitioner has falsely been implicated in this case on mere suspicion and she is in custody



since 24.10.2016.

Learned counsel appearing on behalf of the petitioner Ashok Yadav (in Criminal Misc. No.1147 of 2017) submits that, in fact, the marriage of Chandni Devi, the daughter-in-law of the informant, was performed with this petitioner but due to her ill behaviour, this petitioner left her and her marriage was performed with Anil Yadav, the son of the informant. As such, this petitioner has no concern with the alleged occurrence and on mere suspicion, he has falsely been implicated in this Case. This petitioner is in custody since 24.10.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Biraul at Benipur, Darbhanga, in connection with Biraul P.S. Case No.280 of 2012.

(Rajendra Kumar Mishra, J)

P.S./-

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