

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39224 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -PIPRAKOTHI District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Ram Dulari Devi, W/o Late Harihar Prasad, R/o Village- Jivdhara, P.S.- Pipra, Kothi, District- East Champaran.
 2. Bharat Chaudhary Son of Kishun Chaudhary, R/o Banjariya, P.S.- Madhubani, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioners and the learned APP appearing on behalf of the State.

Learned counsel for the petitioners seeks to withdraw the prayer of anticipatory bail of petitioner no.1, namely, Ram Dulari Devi as she has been arrested so the application has become infructuous.

Accordingly, the anticipatory bail filed on behalf of petitioner no.1 is dismissed as withdrawn.

Petitioner No.2 apprehends his arrest in connection with Pipra Kothi P.S. Case No.35 of 2017, registered under Sections 376/496/120(B) of the Indian Penal Code.

Allegation in brief is that informant was married with one Sunil Kumar but she found him impotent after the marriage.



Thereafter on the advise of other family members, she started living as a wife of younger brother of her husband and two children were born but now the family members want to get Anil married with another girl so she requested for stopping the marriage.

Learned counsel for the petitioners submits that petitioner Bharat Chaudhary is the maternal uncle of the informant's husband and no any allegation of rape is alleged against him rather general allegation is that all accused persons now intend to get Anil married with another girl.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner no.2, namely, Bharat Chaudhary, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra Kothi P.S. Case No.35 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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