

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.669 of 2017

Arising Out of PS.Case No. -286 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Lalto Yadav @ Laltu Yadav
 2. Rupesh Yadav Both Sons of Anmol Yadav
 3. Anmol Yadav, Son of Late Ram Kishun Yadav,
 4. Pramila Devi, Wife of Anmol Yadav, Are resident of Village- Charney,
 Police Station- Chhatapur, District- Supaul

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun-Advocate

For the Respondent/s : Mr. Binay Krishna-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

05 09-05-2017

Heard learned counsel for the appellants as well as

learned Special Public Prosecutor.

Supplementary affidavit has been filed on behalf of appellants sworn by his maternal uncle (Mama) and whatever disclosure have been made therein, that is based upon Annexure-3, an affidavit sworn by Laltu Yadav @ Lalto Yadav, appellant no.1 who has been identified by the victim Geeta Devi, to be her husband.

Considering the deficiency persisting over the supplementary affidavit, which has been sworn by maternal uncle (Mama) of the appellant no.1, who on his own had failed to divulge that they have accepted Geeta Devi as their daughter-in-



law, the intention in the aforesaid background is found duly exposed.

That being so, the supplementary affidavit is found deficient in its object.

Now, coming to facts of the case, it is evident that the victim as well as appellant no.1, Lalto Yadav fallen in love and in the aforesaid background, both eloped whereupon lastly due to intervention of local resident, villagers, family members of both the parties as well as police officials, Mukhiya, it was ultimately resolved to transform the aforesaid relationship whereunder, they enter-locked under nuptial knot on 16.03.2015 and then thereafter, she had gone to her sasural where during consummation of marriage, became pregnant, which was forcibly aborted at the instance of her sasuralwala and subsequently thereof, she faced her miseries which ultimately led filing of instant complaint.

Victim happens to be a Member of Scheduled Caste. That being so, the learned counsel for the appellants was requested to explain whether after marriage, they have had accepted the victim to be their family members, allowed her migration from her original status to the subsequent status identifying herself to be her husband community, whereupon on one pretext or other, the matter has been complicated under the jugglery of words.



Be that as it may, considering the nature of the dispute, it looks better to give an opportunity to the appellants to amicably sort out the controversy by way of honouring their vow and for that, appellants are directed to surrender before the learned lower Court with an offer, which will be considered by the learned lower Court in presence of complainant/ informant, Geeta Devi and in case of perceiving a genuine offer, will allow Geeta Devi to enjoy her marital life at their place along with her husband, appellant no.1, by way of granting provisional bail and will watch conduct and after being satisfied will confirm the same, failing which, the learned lower Court will be at liberty to pass appropriate order in accordance with law.

With the aforesaid observation, instant appeal is disposed of.

(Aditya Kumar Trivedi, J)

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