

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5402 of 2018

Arising Out of PS.Case No. -153 Year- 2017 Thana -GAMAHARIYA District- MADHEPURA

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1. Pawan Kumar Yadav @ Pawan Kumar, S/o Sri Jitendra Yadav @ Master, R/o Village- Onrahi Ekparaha, P.S.- Gamhariya, District- Madhepura.

2. Ajay Kumar S/o Sri Anil Yadav, R/o Village- Mokma, P.S.- Bihta, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners, in the present case, are seeking regular bail in connection with Gamhariya P.S. Case No.153 of 2017, registered for offences alleged under Sections 341, 342, 323, 380, 354, 365, 457, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that in fact the whole case against the petitioners is concocted and



baseless. The facts which will be apparent from Annexure-2, 3 and 4 would show that the petitioner no.1 had a love affair with the sister of the informant. Since they married, earlier one FIR being Gamhariya P.S. Case No.130 of 2017 dated 22.09.2017 was lodged in which the allegation was that the petitioner no.1 had lifted away the sister of the informant, but later on his sister, who is 21 years old, appeared before the learned Magistrate and made statement under Section 164 Cr.P.C. She in her statement admitted to have married to this petitioner and that they are living happily together. Sister of the informant has also lodged Complaint Case No.672 of 2017 against the informant and others alleging that the accused persons had assaulted her and her matrimonial family members.

Learned counsel for the informant is present and has opposed the prayer for bail.

Learned counsel for the State is also present.

Considering the facts and circumstances and the nature of the allegations, let the petitioners, above named, be enlarged on bail on their furnishing bail bond of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Madhepura in connection with Gamhariya P.S.



Case No.153 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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