

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.34423 of 2018**

Arising Out of PS.Case No. -326 Year- 2017 Thana -ALOULI District- KHAGARIA

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1. Makeshwar Kumar, son of Pramod Yadav,  
2. Pancha Devi, wife of Pramod Yadav, Both resident of Village- Mujauna,  
P.S.- Alouli, District- Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Singh

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      29-06-2018      Heard both sides.

The petitioners apprehend their arrest in Alouli P.S.

Case No.326/2017, G.R. No. 2901/2017 registered under Sections  
376, 420, 406, 379 and 34 of the Indian Penal Code.

The informant filed complaint case bearing  
868(A)/2017, on the basis of which the present F.I.R has been  
registered. The informant herself alleged that her first husband  
could not be able to look after her and her children and thereafter  
she began to meet with Rohit Kumar. Makeshwar Kumar and  
Pancha Devi, the brother and mother of Rohit Kumar instigated  
her to solemnize marriage with Rohit Kumar. She further alleged  
that she went along with Rohit Kumar along with her ornaments  
and cash and Rohit Kumar established sexual relation with her but  
refused to marry.



Learned counsel for the petitioners submits that the petitioners are brother and mother of Rohit Kumar. The victim herself is a major woman and she got children from her first marriage. She got love affairs with Rohit Kumar. The petitioners have no concern with the affairs of Rohit Kumar and the informant.

Considering the aforesaid fact and nature of allegation made against the petitioners and the fact that the petitioners are brother and mother of Rohit Kumar, who is alleged to have made sexual relation with the prosecutrix, the petitioners above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, in connection with Alouli P.S. Case No.326/2017(G.R. No.2901 of 2017), subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Amit/-

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