

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58157 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -SAKATPUR District- DARBHANGA

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1. Badri Narayan Singh, son of Jugat Singh,
 2. Geeta Devi, Wife of Badri Narayan Singh,
 3. Suman Devi, Wife of Nityanand Singh, All are Resident of Village-
Kakodha, P.S.- Sakatpur, District- Darbhanga.
 4. Vishnu Dev Singh, Son of Chulhai Singh,
 5. Kusum Devi, Wife of Vishnu Dev Singh, Both are resident of Village-
Navtoli, P.S.- Sakatpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-09-2018

It is submitted by learned counsel for the petitioners that petitioner no. 2, Geeta Devi has been arrested and hence her application became infructuous and accordingly, it is disposed of.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioner nos. 1, 3, 4 and 5 are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 363, 366A, 372, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report



of Keshav Mishra @ Sanjay Mishra dated 24.05.2018 submitted to the Station House Officer, Sakatpur P.S., is to the effect that the informant's daughter, Susheela Kumari, aged about 17 years, went to worship on 22.05.2018 at 5.00 A.M. but she did not return till 8.00 A.M. then the informant started searching her. On 23.05.2018 the informant came to know that she has been kidnapped by Deepak Kumar Singh and Raman Kumar Singh. When the informant went to the house of Deepak to protest, the petitioners being the parents, sister and relatives abused and gave life threatening to the informant.

It is submitted by learned counsel for the petitioners that during investigation it transpired that the victim Susheela Kumari of her own married with Deepak, as a result, both Susheela Kumari and Deepak Kumar preferred criminal writ being Cr. W.J.C. No. 1881 of 2018, wherein the notices have been issued to the informant Keshav Mishra @ Sanjay Mishra, who is respondent no. 8, and in the meantime, Senior Superintendent of Police, Darbhanga has been directed not to take any coercive steps against Susheela Kumar and Deepak Kumar.

Learned APP submits that the petitioners are named in the FIR.



Considering the fact that the thrust of accusation is against Deepak and Raman, and moreover, in view of the interim order passed by a Bench of this Court giving protection to Deepak and Susheela, in view of the contention that being major they have performed marriage, virtually the whole accusation gets clouded, hence, let the above named petitioner nos. 1, 3, 4 and 5 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Darbhanga in connection with Sakatpur P.S. Case No. 28 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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