

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70860 of 2018

Arising Out of PS. Case No.-193 Year-2018 Thana- MUSAHARI District- Muzaffarpur

1. Vandana Sharma @ Vandan Sharma @ Vandan Kumar,
2. Chandan Sharma @ Chandan Kumar Sharma, Both Sons of Mahendra Sharma, Both resident of Village- Dumari, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366A, 363, 354, 417 and 323/34 of the IPC.

The prosecution case got initiated with the filing of the Complaint Case No. 2028 of 2018 on 01.08.2018 by Raghuveer Rai, which ultimately got registered as a police case being Mushahari P.S. Case no. 193 of 2018 on 14.08.2018, after being transferred under Section 156(3) of the Cr. P.C..

It is alleged that the complainant's minor daughter, Kiran Kumari was kidnapped by the petitioners and others, with the intent of marriage.



It is submitted by learned counsel for the petitioners that for the occurrence of 30.05.2010, the complaint was filed on 01.08.2018, which ultimately got registered as a police case on 14.08.2018. However, at earlier point of time, the present informant, Gauri Shankar Rai forcibly got solemnized the marriage of his daughter, Kiran Kumari with Manish Kumar, for which, Devendra Sharma, the father of Manish Kumar filed Complaint Case No. 1525 of 2018, which, after being transferred under Section 156(3) Cr. P.C., got registered as Mushahari P.S. Case No. 188 of 2018 on 07.08.2018 with accusation under Section 366A of the IPC against the present informant and others. The petitioners are the witnesses in the said case, hence as a retaliatory measure, the present case has been lodged. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

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

Considering the delayed filing of the complaint petition and the case lodged against the present informant with regard to marriage of the victim girl with one Manish Kumar, coupled with the statement made in paragraph no.3 of the



petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned ACJM-6, Muzaffarpur in connection with Mushahari P.S. Case No. 193 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

