

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14333 of 2018

Arising Out of PS.Case No. -70 Year- 2016 Thana -MANSI District- KHAGARIA

=====

1. Maheshwar Prasad Singh @ Maheshwar Singh, S/o Mahadeo Singh, R/o Village- Pasraha, P.S.- Pasraha, District- Khagaria.
 2. Rohit Kumar S/o Ramanand Singh,
 3. Ranjay Kumar @ Rajeev Kumar S/o Bishundeo Singh, Both are R/o Village- Bangaliya, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Sekho Singh S/o Pratap Singh, R/o Village- Bangaliya, P.S.- Mansi, District- Khagaria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 06.04.2018 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Mansi P.S. Case no. 70/2016 registered under sections 341, 33363 and 365 of the IPC.

The accusation against the petitioners is that they took the victim and got forcibly solemnized his marriage with a girl.

Submission on behalf of the petitioners is that according to the prosecution case, the alleged occurrence took place on 26.1.2015 whereas complaint case was filed



on 3.3.2015 i.e. near about after one month and on the basis of the aforesaid complaint case, present Mansi P.S. Case no. 70/2016 was registered. It is, further, submitted that after two years of the alleged occurrence, statement of victim was recorded under section 164 Cr.P.C. It is, further, submitted that, as a matter of fact, marriage of the victim was solemnized by her own sweet will and it was an arranged marriage but subsequently, the informant as well as others started demanding dowry upon which a dispute arose between the parties and thereafter, the informant brought the present case. It is, further, submitted that, however, wife of the victim has also filed a case for the offence punishable under section 498A of the Indian Penal Code, though the aforesaid case was filed after institution of the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Mansi P.S. Case no. 70/2016 subject to condition as laid



down under section 438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

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

