

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2687 of 2018

Arising Out of PS.Case No. -1157 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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1. Murat Kumar, son of Late Jitan Ram.
2. Markandey Ram, son of Late Antu Ram. Both are residents of Village-
Khajura, Police Station- Durgawati, District- Kaimur (Bhabua).

.... Petitioners

Versus

1. The State of Bihar.
2. Archana Kumari, wife of Murat Ram, Daughter of Awadhesh Ram,
resident of Village- Khajura, Police Station- Durgawati, District- Kaimur
(Bhabua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 498A, 376 of the Indian Penal Code but
cognizance has been taken under Section 376/34 of the Indian
Penal Code.

It has been submitted on behalf of the petitioners that
there is no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case. The petitioner no.1 is husband of the victim. As far
as petitioner no.2 is concerned, he is uncle of victim. There was a



love affair between the petitioner no.1 and victim. The complaint has been filed at the instance of family members of the victim as love marriage performed between petitioner no.1 and the victim was not allowed by the family members of the victim. There is no specific overt act alleged against the petitioner no.2. Similarly situated other co-accused has already been granted anticipatory bail vide Cr. Misc. No.14562/2017.

On behalf of the State, it has been submitted that the petitioners are named in the Complaint. There is specific allegation against the petitioner no.1, who is husband of the victim, who compelled the victim to establish physical relation with other co-accused, after getting married with the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to petitioner no.1. The same is rejected.

So far petitioner no.2 is concerned, he is directed to be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.1157 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Kaimur (Bhabua), subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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