

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4161 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA P.S. District- Banka

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1. Subodh Sah and Anr Late Sukhdeo Sah Village - Pipra, PS- Shambhuganj
 2. Merghi Devi Subodh Sah Village - Pipra, PS- Shambhuganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the parties.

The petitioners, being the parents of the husband of the informant are languishing in custody since 21.11.2018 in a case registered for the offences punishable under Sections 498A,494,493,496,341,323 and 504/34 of the I.P.C.

The prosecution case as per the written report of Kanchan Devi submitted to the SHO, Banka Mahila Police Station, is to the effect that the informant's marriage was performed with Gopal Sah in 2009. After few days of marriage, the informant came to know that her husband is already married and has two children and resides at Durgapur. When the informant conveyed these facts to the petitioners including her intention to lodge the FIR, then they assured the informant that she will be married with their another son, namely, Dewanand Sah. It is further alleged that



co-accused Dewanand Sah established physical relationship with the informant on the promise of marriage but ultimately the informant was driven out of her matrimonial house on 1.7.2018.

It is submitted by learned counsel for the petitioners that the petitioners are parents of the husband of the informant and the accusation of performing marriage by concealing earlier marriage is against the husband of the informant whereas accusation of establishing physical relationship on the promise of marriage is against co-accused Dewanand Sah. It is further submitted that the petitioners are separate from the husband of the informant.

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

Considering the thrust of accusation against the husband of the informant and co-accused Dewanand Sah, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Banka in connection with Mahila P.S. Case No.41 of 2018.

(Dinesh Kumar Singh, J)

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