

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7980 of 2019

Arising Out of PS. Case No.-78 Year-2015 Thana- MAHILA P.S. District- Saharsa

1. Dular Chand Sharma, aged about 54 years (Male), Son of Late Ramdat Sharma
2. Chinma Devi @ Chiniya Devi, aged about 49 years (female), Wife of Dular Chand Sharma, Resident of Village - Situaha Punaras, P.S.-Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 376, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Sempul Kumari, dated 05.12.2015, submitted to the Station House Officer, Saharsa Mahila Police Station, is to the effect that co-villager of the informant, Pandu Sharma, on the promise of marriage, established physical relationship with the informant, as a result, she became pregnant and gave birth to a male child. It is further alleged that when the informant pressurized the co-accused, Pandu Sharma to perform marriage and went to his



house then all the accused persons including the petitioners assaulted the informant. The petitioners are the parents of co-accused, Pandu Sharma.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the co-accused, Pandu Sharma and the petitioners have been roped in the present case, simply because, they are the parents of co-accused, Pandu Sharma. It is further submitted that for the occurrence of 17.05.2015, the FIR has been lodged on 05.12.2015. Moreover, the informant is already married with one Sanjeev Sharma. 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 fact that the thrust of accusation is against the co-accused, Pandu Sharma and delayed lodging of the FIR, 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 petitioners 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 Judicial Magistrate, 1st Class, Saharsa in connection
with Saharsa Mahila P.S. Case No. 78 of 2015, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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