

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74677 of 2018

Arising Out of PS. Case No.-567 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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1. KUNDAN PATEL @ KUNDAN KUMAR, Son of Sri Ashok Patel,
 2. Chandan Patel @ Chandan Kr, Son of Sri Ashok Patel,
 3. Ashok Patel @ Ashok Raut, Son of Sri Durga Patel,
 4. Parvati Devi, Wife of Sri Ashok Patel, All resident of Village- Banwa Tola,
P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioners

Versus

1. The State Of Bihar
2. Sunita Devi, wife of Kundan Patel, resident of Piunibaag, P.S. Town, Dist.
West Champaran, Bettiah

... .. Opposite Parties

Appearance :

For the Petitioner/s : Ms. Rashmi Jha
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 10-07-2019 Petitioners seek bail in anticipation of their arrest in connection with Bettiah Town P.S. Case No. 567 of 2018 registered for the offences punishable under Sections 376, 493, 120B, 341, 323 and 379/34 of the Indian Penal Code.

Written report disclosed that petitioner No.1 married with the informant and took some photographs and thereafter blackmailing her. It is also stated that all the petitioners assaulted her by threatening to kill her.

Submission of learned counsel for the petitioners is that FIR itself disclosed that she was married with the petitioner



No.1, as such no offence under Section 376 IPC is made out and so far other allegations are concerned, material collected in the case diary in paragraphs 7,8 & 9 disclosed that no such occurrence took place and moreover the matter has been compromised, which is Annexure-2 to the petition.

Heard learned APP also.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Town P.S. Case No. 567 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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