

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27107 of 2019

Arising Out of PS. Case No.-5 Year-2018 Thana- KADIRGANJ District- Patna

CHANARIK YADAV @ CHANDRIKA PRASAD, aged about 75 years,
Male, Son of Lakshmi Yadav Resident of Village- Mathiapar, P.S.- Dhanarua,
District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shakti Suman Kumar, Advocate.
For the Opposite Party : Mr.Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
22.01.2019 in a case for the offence registered under Sections
420, 366, 376 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 16.12.2017,
marriage of the informant was performed with one Arun Kumar
@ Govind @ Brind in presence of the Mediator Braj Kishore
Prasad @ Arvind and Arun Kumar established physical
relationship with the informant. Thereafter, Arun Kumar
solemnized marriage of the informant with one Chanarik Yadav
@ Chandrika Prasad (petitioner). After marriage, this petitioner
established physical relationship with her. After getting



information, when her family members went to the house of the petitioner then Sulekha Kumari, Savita Kumari, Sakali Devi run for assaulting them and said that they did not allow to go the informant. The police came and freed her from their custody. She got information that Arun Kumar @ Govind @ Brind had already a married person and he has 3-4 children and Chanarik Yadav @ Chandrika Prasad has five daughters and he has no male child and he is in need of male child, forcibly married with her and Arun Kumar for the purpose of money, has committed this kind of act. She claims that Arun Kumar @ Govind Kumar @ Brind Kumar, Chanarik Yadav, Sakali Devi, Sulekha Kumari, Savita Kumari, father of Arun Kumar @ Govind @ Brind, namely, Yogendra Prasad, Braj Kishore Prasad @ Arvind and Bindu Devi under conspiracy, committed physical relationship with her and took cash of Rs. 60,000/- and her ornaments worth Rs. 45,000/-.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The main allegation is against the husband of the informant, namely, Arun Kumar @ Govind @ Bind Kumar. As



per the allegation, the husband of the informant got his wife married to this petitioner. Later on, the informant has filed a petition in the learned court below stating that this petitioner has been made accused in the present case due to mistake of fact, vide Annexure-2 to the present application. The petitioner is a 75 years old man.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class-cum-Munsif, Masaurhi, Patna, in connection with Kadirganj P.S. Case No. 05 of 2018.

U.K./-

(Sudhir Singh, J)

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