

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32863 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- MAHILA P.S. District- Nawada

1. Sarjan Mahto @ Sarjan Prasad Kushwaha @ Sarjan Prasad, Son of Late Raghu Mahto Resident of Village - Hasanpura, P.S. - Nawada Town (Kadirganj O.P.) in the district- of Nawada
2. Sabo Devi Wife of Sarjan Mahto @ Sarjan Prasad Kushwaha Resident of Village - Hasanpura, P.S. - Nawada Town (Kadirganj O.P.) in the district- of Nawada
3. Nishu Kumari @ Gori D/O - Sarjan Mahto @ Sarjan Prasad Kushwaha Resident of Village - Hasanpura, P.S. - Nawada Town (Kadirganj O.P.) in the district- of Nawada
4. Rishi Kumari @ Ridhi Kumari @ Kari D/O - Sarjan Mahto @ Sarjan Prasad Kushwaha Resident of Village - Hasanpura, P.S. - Nawada Town (Kadirganj O.P.) in the district- of Nawada
5. Nisa Devi @ Nisha Devi D/O - Sarjan Mahto @ Sarjan Prasad Kushwaha Resident of Village - Hasanpura, P.S. - Nawada Town (Kadirganj O.P.) in the district- of Nawada
6. Binod Kumar @ Binod Kumar Kushwaha Son of Bajinath Mahto Resident of Village - Warisaliganj Near Devi Asthan, P.S.- Warisaliganj in the district of Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nawada Mahila P.S. Case no. 02 of 2019, registered under Sections 376, 341, 323, 379, 504 and 506/34



of the Indian Penal Code.

The accusation is that the informant was student of class-VII in the year 2008 at that time, she used to visit the house of Sandip Kumar Kushwaha for taking tuition. In that course, on the allurement of marriage, Sandip Kumar Kushwaha developed physical relation with the informant. Later on, Sandip Kumar Kushwaha was selected for the post of Group-D, but he was in touch with the informant saying that he would perform marriage with her. When father of the informant, in the month of December, 2018, went at the house of Sandip Kumar Kushwaha to fix the marriage of the informant, at that time, Sandip Kumar Kushwaha was ready to perform marriage, but his family members started demanding Rs. Four lakhs, as dowry. Thereafter, father of the informant became ready to give Rs. Four Lakhs, but later on, family members of Sandip Kumar Kushwaha refused to perform marriage with the informant.

Learned counsel for the petitioners submits that petitioner No.1 Sarjan Mahto and petitioner No.2 Sabo Devi are parents, petitioner Nos. 3 to 5 are sisters and petitioner No.6 is brother-in-law of Sandip Kumar Kushwaha and they have falsely been implicated in this case. Further submission is



that Sandip Kumar Kushwaha has performed marriage with the informant and a compromise petition has also been filed by the informant on 30.03.2019 in the Court of SDJM, Nawada disclosing the fact regarding performing marriage with Sandip Kumar Kushwaha.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Nawada in connection with Nawada Mahila P.S. Case No. 02 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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