

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40153 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- KISHUNPUR District- Supaul

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1. GANGA RAM TIWARI Son of Late Sonelal Tiwari
 2. Heera Devi Wife of Ganga Ram Tiwari
 3. Deepak Tiwari @ Deepak Kumar Son of Ganga Ram Tiwari
 4. Arti Devi @ Arti Tiwari Wife of Deepak Tiwari
- All are residents of Village- Sisouni, Ward No. 8, Thana- Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner, learned counsel for the informant as well as learned A.P.P..

The petitioners apprehend their arrest in Kishanpur P.S. Case No.19 of 2019 registered under Sections 498(A) and 366(A) of the Indian Penal Code.

The informant in his written report alleged that his daughter Komal Devi was married with Hare Krishna Tiwari on 12.03.2018 but immediately after her marriage, Hare Krishna Tiwari and his family members demanded additional dowry of Rs.5 lacs. They assaulted his daughter and drove her out from the house. The informant further alleged that the accused



persons came on 25.01.2019 to the house of the informant and kidnapped his minor daughter.

The learned counsel for the petitioners submits that the petitioners are father-in-law, mother-in-law, brother-in-law and sister-in-law of Komal Devi, the elder daughter of the informant. It is submitted that in fact the informant concealed the fact that his daughter Komal is of dull mind and got her married with Hare Krishna Tiwari. Some dispute arose and on such, the informant himself agreed to solemnised marriage of his youngest daughter with Hare Krishna Tiwari. Youngest daughter of the informant herself left the house and fled away with Hare Krishna Tiwari. They solemnised marriage. The youngest daughter of the informant made her statement under Section 164 Cr.P.C. and disclosed the entire facts that her elder sister is of dull mind and, therefore, she with the consent of her parents married with Hare Krishna Tiwari. It is submitted that petitioner has no manner of concern with the occurrence.

Learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

It appears that victim herself made her statement under Section 164 Cr.P.C. and she did not disclose or assign any role of the petitioners in her kidnapping. She further disclosed



that she voluntarily left her house and married with Hare Krishna Tiwari.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul, District-Supaul in connection with Kishanpur P.S. Case No.19 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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