

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46681 of 2019

Arising Out of PS. Case No.-248 Year-2016 Thana- PARBATTa District- Khagaria

1. MALA DEVI, aged about 38 years(Female), Wife of Ajay Yadav
2. Nitesh Kumar @ Nitesh Yadav, aged about 20 years(Male), Son of Ajay Yadav
Both Resident of Village - Arariya, P.S.- Parwatta, District - Khagaria.
3. Shri Lal Yadav, aged about 62 years(Male), Son of Late Jhakshu Yadav
4. Vijay Yadav, aged about 46 years(Male), Son of Shri Lal Yadav
5. Mithun Kumar @ Mithun Yadav, aged about 25 years(Male), Son of Shri Lal Yadav
All Sl. No.3 to 5 are resident of Village - Bagari, P.S.- Kharik, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh
For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-07-2019 Heard both sides.

The petitioners apprehend their arrest in Parbatta(Maraiya) P.S. Case No.248 of 2016 registered under Sections 363, 365, 504 and 34 of the Indian Penal Code.

The informant alleged that the petitioners came to his house and took his son, Gautam Kumar, aged about 16 years, with them for the purpose of collecting matriculation certificate but his son did not return. The informant informed the police and during the search, the informant came to know that the accused persons got his son forcibly married with the sister-in-law of Ajay Yadav.

The learned counsel for the petitioners submits that



the petitioner No.1 is wife of Ajay Yadav. Gautam Kumar in his statement under Section 164 Cr.P.C. did not make any specific allegation against the petitioner No.1. The victim alleged that Shri Lal Yadav, Vijay Yadav and Mithun Yadav assaulted him but the case is compromised.

It appears that petitioners are of course named in the F.I.R. but Victim himself did not make any sort of allegation of either kidnapping or forcing him to marry with the sister of the petitioner No.1.

Taking into consideration the facts aforesaid and the fact that the case is compromised, 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 Additional Chief Judicial Magistrate, Khagaria in connection with Parbatta(Maraiya) P.S. Case No.248 of 2016(G.R. No.2250/2016), 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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