

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47295 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- KAHALGAON District- Bhagalpur

1. Siyawati Devi Wife of Mangan Yadav @ Satya Narayan Yadav, Resident of Village - Janidih, P.S.- Ghogha, District – Bhagalpur.
2. Mangan Yadav @ Satya Narayan Yadav Son of Babu Ram Yadav, Resident of Village - Janidih, P.S.- Ghogha, District - Bhagalpur.
3. Prakash Yadav Son of Babu Ram Yadav, Resident of Village - Janidih, P.S.- Ghogha, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-07-2019 Heard both sides.

Petitioners apprehend their arrest in Kahalgaon (Ghogha) P.S. Case No.226 of 2019 registered under Sections 323, 341, 342, 354, 376 and 34 of the Indian Penal Code.

The victim alleged that on 01.04.2019 Chandan Yadav asked her to come to Ghogha Railway Station but Chandan Yadav and Katkun Yadav took her to Kahalgaon. They kept her in a room where Chandan Yadav established physical relation with her on the pretext of marriage. On 02.04.2019 Chandan Yadav disclosed that his parents were arrested and on such Chandan Yadav brought her to his house. It is further alleged that Mangan Yadav, Prakash Yadav, Rohit Yadav, Siyawati Devi and others abused and assaulted the informant.



Learned counsel for the petitioners submits that the petitioners are mother, father and uncle of Chandan Yadav. The victim made allegation against Chandan Yadav that he took her to different places and established physical relation with her. The petitioners are only alleged to have abused and assaulted the victim when she came to the house of petitioners. It is submitted that the allegation of assault and abusing is false and concocted.

Having considered the facts aforesaid and the fact that there is no allegation that the petitioners took part in taking the victim to any place, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur in connection with Kahalgaon (Ghogha) P.S. Case No.226 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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