

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54264 of 2019

Arising Out of PS. Case No.-132 Year-2018 Thana- MAHILA P.S. District- Patna

1. ARUN SINGH @ ARUN KUMAR SINGH Son of Late Suryabansh Singh Resident of Village- Jalalpur, Police Station- Kargahar, District- Rohtas.
2. Indu Devi Wife of Arun Singh Resident of Village- Jalalpur, Police Station- Kargahar, District- Rohtas.
3. Monu Kumar Son of Arun Singh Resident of Village- Jalalpur, Police Station- Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Din Bandhu Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 376, 506, 509, 420/34 of the Indian Penal Code registered in connection with Mahila P.S. Case No. 132 of 2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation that co-accused Amresh Kumar @ Sonu had developed physical relationship with the informant on the promise of marriage, but subsequently resiled from the promise of marriage. It is submitted that the relationship between the said co-accused Amresh Kumar @ Sonu and the informant was consensual. It is stated that the informant is a lady who was married in the year 2002 with one Raj Kumar Singh and she had two sons. The relationship with Amresh Kumar @ Sonu and the informant was consensual, but subsequently some dispute arose between them and the present case has been filed. The said Amresh Kumar @ Sonu has been granted anticipatory bail by this Court in Cr. Misc. No. 43517 of 2019. The petitioners have been



implicated merely because they happen to be the father, mother and brother respectively, of the said co-accused Amresh Kumar @ Sonu. The informant in her deposition recorded under Section 164 Cr.P.C. has not named the petitioners. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners' be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Ms. Madhavi Singh, learned J.M. Ist Class, Patna in connection with Mahila P.S. Case No. 132 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner nos. 1 and 3 shall remain physically present and the petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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