

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52270 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- MAHILA PS District- Jehanabad

1. BAKHORI CHAUDHARY S/o Manik Chand Chaudhary R/o Village- Bela, P.S.- Makhdumpur, Distt.- Jehanabad
2. Kalo Devi W/o Bakhori Chaudhary R/o village- Bela, P.S.- Makhdumpur, Distt.- Jehanabad
3. Ajay Chaudhary S/o Chandradeo Chaudhary R/o village- Chakand, P.S.- Chakand, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Jehanabad Mahila Police Station Case No. 30 of 2019, disclosing offences under Sections 498-A/420/406/494/372/34 of the Indian Penal Code.

The allegation against the petitioners is that the marriage of the informant was solemnized with the son of petitioner nos. 1 and 2 on 16.03.2019. It has further been alleged that when the informant went to her matrimonial home, she came to know that her husband, Vijay Choudhary, was already



married and concealing this fact, Vijay Chaudhary has performed marriage with the informant. It has further been alleged that said Vijay Chaudhary, husband of the informant, was preparing to sell the informant to others inasmuch as he has done the same thing with his earlier wife and has forced the informant to indulge in illicit work.

Learned Counsel for the petitioners submits that the petitioners are innocent inasmuch as the petitioner nos. 1 and 2 are parents of the said Vijay Chaudhary, who has allegedly performed marriage with the informant and from perusal of the First Information Report, it appears that no specific allegation has been made against these petitioners. He further submits that the petitioner no. 3 is an outsider and has nothing to do with the affairs of the family of the petitioner nos. 1 and 2.

Learned Counsel for the petitioners has filed supplementary affidavit, stating therein that husband of the informant, Vijay Chaudhary, is in judicial custody since 23.08.2019 and in support thereof, Annexure-2 has been relied upon, which is surrender certificate, issued by learned Chief Judicial Magistrate, Jehanabad.

After having heard learned Counsel for the parties and taking into consideration the fact that the allegation against



these petitioners are not specific and the husband of the informant has already surrendered before the learned Court below, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad Mahila Police Station Case No. 30 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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