

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58550 of 2019

Arising Out of PS. Case No.-191 Year-2018 Thana- BHAGWANPUR District- Begusarai

1. Sanju Devi @ Manju Devi Wife of Pawan Sah Resident of Village -
Jairampur, P.S.- Bhagwanpur, Distt - Begusarai.
2. Jhumki @ Jhunna Kumari @ Jhumki Devi D/o late Sudhir Sah Resident of
Village - Jairampur, P.S.- Bhagwanpur, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in **Bhagwanpur**
P.S. Case No. 191 of 2018, registered for the offence punishable
under Section 366(A) of the Indian Penal Code.

It is alleged by the informant that Sajan Sah had
kidnapped his daughter (minor) on the pretext of marriage.

It is submitted by learned counsel appearing on behalf
of petitioners that petitioner no. 1 happens to be *Bhabhi* and
petitioner no. 2 happens to be sister of Sajan Sah. Petitioners
have falsely been implicated in this case, as they are relative of
Sajan Sah. There is no allegation against these petitioners. There



is love affair between the accused Sajan Sah and the victim girl. Moreover, the girl in her statement under Section 164 Cr.P.C has stated that she had gone with Sajan, out of her own sweet will and they had solemnized marriage in temple. She had not taken name of these petitioners in her statement under Section 164 Cr.P.C. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Begusarai** in connection with **Bhagwanpur P.S. Case No. 191 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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