

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62170 of 2019

Arising Out of PS. Case No.-375 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. KUNAL KUMAR Son of Jogendra @ Jogi Yadav Resident of Village-Chhaterpur, P.S.- Bind, District- Nalanda.
2. Umesh Yadav @ Umesh Son of Lakhan Yadav Resident of Mohalla-Bangoriya Khandak Par Near the St. Joseph School, P.S.- Bihar, District-Nalanda.
3. Sonu Kumar Son of Umesh Yadav Resident of Mohalla- Bangoriya Khandak Par Near the St. Joseph School, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2019 Heard learned counsel for the parties.

The petitioner nos. 1 and 2 are apprehending their arrest in connection with Bihar P.S.Case No.375 of 2019 registered for offences punishable under Sections 363/365 of the Indian Penal Code.

As per FIR, petitioner nos. 1 and 2 have lifted the son of the informant and forcibly married with the daughter of the petitioner no.2

Submission of the learned counsel for the petitioners is that there was love affair between them from before as such the marriage was solemnized, however, in order to save skin, the



present case has been lodged.

On the other hand the learned APP as well as the informant, who has appeared *suo motu* has opposed the prayer for bail on the ground that the boy has named these petitioners also in his statement under Section 164 Cr.P.C. and later on a case under Section 498(A) of the IPCF has also been lodged by the daughter of the informant.

Heard learned A.P.P. also.

Having heard both sides and considering the allegation, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, if the petitioner nos.1 and 2 surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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