

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.73069 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- MAHILA P.S. District- Araria

1. CHHATTU RISHIDEV, aged about 65 years, Male, Son of Late Ganga Rishidev, Resident of Village - Parwaha, Ward No. - 8, P.S.- Forbesganj, District- Araria
2. Parmod Rishidev, aged about 28 years, Male, Son of Chhattu Rishidev, Resident of Village - Parwaha, Ward No. - 8, P.S.- Forbesganj, District- Araria
3. Subodh Rishidev, aged about 30 years, Male, Son of Chhattu Rishidev, Resident of Village - Parwaha, Ward No. - 8, P.S.- Forbesganj, District- Araria ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Kundan Kumar Singh, Adv.

For the Opposite Party : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Araria Mahila P.S. Case No. 122 of 2019 registered under Sections 376, 506 and 34 of the Indian Penal Code.

The accusation is that Yabun Rishideo, husband of the informant, Sita Devi, had gone outside for earning. He did not return for 5 to 6 years, due to that reason she started to work in the field of Ajay Kumar Rishideo, in that course he told that her husband will not return and ask her to live as wife and assured to bear the expenses and Ajay Kumar Rishideo developed physical relation in which she conceived pregnancy. Thereafter, Chhattu Rishideo, Subodh Rishideo, Ashok Rishideo and Pramod Rishideo, family members of Ajay Kumar Rishideo,



managed to escape Ajay Kumar Rishideo outside and refused to perform marriage with Ajay Kumar Rishideo.

Submission is that it would appear from the first information report that allegation is that Ajay Kumar Rishideo developed physical relation with the informant in which she conceived pregnancy and the petitioners, who are family member of Ajay Kumar Rishideo, have falsely been implicated in this case with the allegation that they managed to escape Ajay Kumar Rishideo outside and refused to perform the marriage. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Araria Mahila P.S. Case No. 122 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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