

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4258 of 2020

Arising Out of PS. Case No.-284 Year-2018 Thana- PHULPARAS District- Madhubani

1. GANESH MANDAL Son of Jurilal Das Resident of Village- Ratauli, P.S.- Phulparas, District- Madhubani.
2. Fulchan Mandal Son of Satya Narayan Mandal Resident of Village- Ratauli, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-07-2020 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in connection with Phulparas P.S. Case No. 284 of 2018 for the offence registered under Sections 363 and 366(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. Further submission is that on perusal of Annexure nos. 2 to 4, it appears that the victim girl gave false statement under Section 164 Cr. P.C. against the petitioners and co-accused Ramesh Kumar for kidnapping and establishment of physical relation forcibly after threat and pressure by her parents. Thereafter, the



victim girl filed an affidavit stating that she married with co-accused Ramesh Kumar in temple and also stated that she was not kidnapped. A compromise petition (Annexure-5) was also filed jointly by the informant and co-accused. Further submission is that the main accused Ramesh Kumar has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 58940 of 2019 on 19.09.2019 (Annexure-7).

Having considered the above facts and circumstances of the case, let the petitioners, above named, in the event of their arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing personal bail bonds to the satisfaction of 3rd A.C.J.M.-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 284 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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