

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16090 of 2020

Arising Out of PS. Case No.-815 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. Kishori Mohan Singh Yadav @ Kishori Mohan Singh Son of Late Raghunandan Singh Yadav Resident of Village - Kamalpur, P.S.- Makhdumpur, Distt.- Jehanabad.
 2. Mina Devi W/o Kishori Mohan Singh Yadav Resident of Village - Kamalpur, P.S.- Makhdumpur, Distt.- Jehanabad.
 3. Gagandra Yadav @ Gagandra Kumar Son of Late Raghunandan SinghYadav Resident of Village - Kamalpur, P.S.- Makhdumpur, Distt.- Jehanabad.
 4. Akhlesh Yadav Son of Late Raghunandan Singh Yadav Resident of Village - Kamalpur, P.S.- Makhdumpur, Distt.- Jehanabad.
 5. Photo Devi Wife of Kaushal Yadav Resident of Village - Rustam Chak, P.S.- Shakurabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi W/o Umesh Kumar Resident of Village - Lala Bigha, P.S.- Makhdumpur, Distt.- Jahanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-07-2020 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in Complaint Case No. 815 of 2018 (T.R. No. 2877 of 2019) punishable for the offence under Sections 341/323/365/504/34 of the Indian Penal Code and Sections 10/11 of the Child Marriage Prohibition Act, 2006.



The complaint case, in brief, is that on 20-11-2018, the son of complainant, aged about 19 years, had gone to Patna for coaching, but he did not return. It is alleged that petitioners have kidnapped her son and he was married with daughter of petitioner no. 1 (Kishori Mohan Singh Yadav). It is further alleged that when complainant went to the village of petitioners, she was abused and assaulted with slaps by petitioners.

It is submitted on behalf of petitioners that petitioners have falsely been implicated in this case. The son of the complainant was not kidnapped, rather out of his own will, he has solemnized marriage with daughter of petitioner no. 1. To this effect, an affidavit has been filed by son of complainant in the court of learned S.D.J.M., Jehanabad, which is kept as Annexure – 2 to the petition. It is further submitted that a joint affidavit has also been filed by son of complainant and daughter of petitioner no. 1 stating therein that both are major and there was love affair between them and as such, they have solemnised marriage on 27-11-2018 (Annexure – 3). The entire allegations, levelled in the complaint petition, are false and fabricated. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.



In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Complaint Case No. 815 of 2018 (in T.R. No. 2877 of 2019), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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