

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26389 of 2020

Arising Out of PS. Case No.-97 Year-2020 Thana- BANKA District- Banka

1. MANMOHAN DAS @ ROSHAN DAS @ MANMOHAN KUMAR Son of Arjun Das Resident of Village - Bamangama, P.S. - Barahat, District - Banka.
2. Birendra Das @ Birendra Kumar Son of Arjun Das Resident of Village - Bamangama, P.S. - Barahat, District - Banka.
3. Anita Devi Daughter of Arjun Das Resident of Village - Bamangama, P.S. - Barahat, District - Banka.
4. Geeta Devi Wife of Arjun Das Resident of Village - Bamangama, P.S. - Barahat, District - Banka.
5. Arjun Das Son of Late Katkun Das Resident of Village - Bamangama, P.S. - Barahat, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2020 Heard Mr. Brij Nandad Prasad, learned counsel for the petitioners and Mr. Sakir Ahmad, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with Banka (Barahat) P.S. Case No. 97 of 2020 registered for the offences punishable under Sections 341, 323, 354(B), 504 and 506/34 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that the petitioner No. 1 used to tease the daughter of the



informant and on the date of occurrence, the petitioner No. 1 with the help of other petitioners put vermilion on the head of the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as there is dispute relating to marriage of the petitioner No. 1 with the daughter of the informant. Learned counsel further submits that prior to lodging of this First Information Report, the petitioner No. 1 has lodged a complaint-cum-First Information Report bearing FIR No. 848 of 2019 alleging therein that marriage of the petitioner No. 1 was performed with the daughter of the informant on 07.10.2019 and the informant and others kidnapped the wife of the petitioner No. 1 i.e. daughter of the informant. Learned counsel further submits that taking into consideration the nature of allegation, the offence under Section 354B is not made out against the petitioners.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that there is case and counter case between the parties, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above



named, shall be released on anticipatory 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 Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 97 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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