

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75757 of 2019

Arising Out of PS. Case No.-49 Year-2016 Thana- BABUBARHI District- Madhubani

1. Shankar Singh, Son of Late Ram Dev Singh.
2. Shyam Singh, Son of Late Ram Dev Singh
3. Dulari Devi @ Ram Kumari Devi, Wife of Late Ram Dev Singh
All are resident of Village - Kabiya, P.S. - Babubarhi, District - Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 17-06-2020 Heard Gagan Deo Yadav, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned Additional Public Prosecutor for the State via video conferencing.

By way of the present application, the petitioners have sought for pre-arrest bail in connection with Babubarhi P.S. Case No.49 of 2016 registered for the offence punishable under Sections 366, 364, 120B of the Indian Penal Code and Sections 4 and 5 of the Child Marriage Act.

Regard being had to the report of the Superintendent of Police as contained in para 39 of the case diary wherein it has been recorded that the alleged victim Gita Devi was having affair with one Guddu and in the absence of



her husband Shankar Singh (Petitioner no.1) she eloped with said Guddu and when the petitioner no.1 informed the police, the aforesaid Guddu and Gita Devi appeared before Punjab police at Chandigarh, Sector 31 and recorded their statement on 04.09.2020 in which the alleged victim stated that she had already married Guddu a year before, the petitioners are directed to be released on bail in the event of arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Madhubani in connection with Babubarhi P.S. Case No. 49 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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