

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74341 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- GORAUL District- Vaishali

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1. Kamal Rai Son of Late Dwarika Rai @ Dwarika Ray Resident of Village-Sondho Basdeo, P.S.-Goraul, District-Vaishali.
 2. Pramila Devi Wife of Sri Kamal Rai Resident of Village-Sondho Basdeo, P.S.-Goraul, District-Vaishali.

... Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 15-06-2020 Heard learned counsel for the petitioners and learned counsel for the State via video conferencing.

The petitioners have filed the present application for grant of pre-arrest bail in connection with Goraul P.S. Case No. 278 of 2019 registered for the offence punishable under Sections 366A and 504/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that as far as the petitioners are concerned, it is not the case of the prosecution that they participated in any manner in the abduction of the victim. It is further contended that the



victim, aged between 17-19 years, had eloped out of her own free will with co-accused Neeraj Kumar but, subsequently, under the pressure of her family members, she gave a tutored statement alleging therein that she was forcibly married to the Neeraj Kumar and at the time of marriage, the petitioners were also present. It is also contended that co-accused Bhola Rai and Punam Devi, the father and mother, respectively, of the co-accused Neeraj Kumar, whose case stands on identical footing to that of the petitioners, have already been granted pre-arrest bail by a Bench of this Court vide order dated 24.01.2020 passed in Cr. Misc. No. 74989 of 2019.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners. However, he admits that the case of the petitioners stands on identical footing to that of the co-accused Bhola Rai and Punam Devi.

Regard being had to the submissions made above, the petitioners are directed to be released on bail in the event of their arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur in connection with Goraul P.S. Case No. 278



of 2019, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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