

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32285 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- DUMRA District- Sitamarhi

1. Satan Das, S/o Late Sakhi Chand Das, Resident of Bajitpur, P.S.-Dumra, District-Sitamarhi.
2. Janarasi Devi, W/o Satan Das, Resident of Bajitpur, P.S.-Dumra, District-Sitamarhi.
3. Awadhesh Kumar, S/o Satan Das, Resident of Bajitpur, P.S.-Dumra, District-Sitamarhi.
4. Mantoriya Devi, S/o Satan Das, Resident of Bajitpur, P.S.-Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha, Advocate.

For the Opposite Party/s : Ms. Indiwar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dumra P.S. Case No. 67 of 2020 registered under Sections 313, 376, 341, 323, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.



The accusation is that informant, Jyoti Kumari, aged about 15 years, who was student of class VIII, used to go to Super Raja Coaching Centre, where her villager Sunil Kumar used to teach the students. In that course, Sunil Kumar, on giving allurements, developed physical relation with her, on which, she conceived pregnancy. Thereafter, she started to give pressure to perform the marriage. On pressure of villagers, Sunil Kumar took her at his house and started to give pressure to abort her child then she made protest. Thereafter, Sunil Kumar and his family members named in the FIR abused and assaulted and her pregnancy was aborted by administering her medicine. On 18.02.2020, informant was brutally assaulted for the purpose to remove from the house. Thereafter, Mantoriya Devi (petitioner no. 4) and Satan Das (petitioner no.1) poured the K. Oil on her and Sunil Kumar dragged her out and Awadhesh Kumar (petitioner no.3) tried to lit fire but on raising alarm, she moved from there.

Learned counsel for the petitioners submits that, in fact, in course of attending the coaching, informant fallen in love with Sunil Kumar, son of the petitioner nos. 1 and 2 and started to give pressure to perform the marriage with Sunil Kumar but Sunil Kumar refused to perform the marriage with



the informant due to that reason, informant lodged the present case implicating the petitioners, who are father, mother, brother and sister of co-accused, Sunil Kumar with false allegation. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Ist Additional Sessions Judge-cum-Special Judge, Sitamarhi, POCSO Act, in connection with Dumra P.S. Case No. 67 of 2020 , subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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