

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33647 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- MAHILA PS District- East Champaran
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1. MAHAPATI DEVI wife of Yogi Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.
2. Bedami Devi wife of Jailal Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.
3. Jailal Mukhiya son of Yogi Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.
4. Dharmendra Kumar @ Dharmendra Mukhiya son of Yogi Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.
5. Nandu Mukhiya son of Yogi Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.
6. Ramlal Mukhiya son of Yogi Mukhiya Resident of Village- Katha Dhobaha Bhawanipur, P.S. Sangrampur, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Md. Shamimul Hoda
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2021 Heard Mr. Md. Shamimul Hoda, learned counsel

for the petitioners and Mr. Ram Priya Sharan Singh, learned

APP for the State.

Mr. Md. Shamimul Hoda, learned counsel for the

petitioners seeks permission to withdraw the application with

respect to petitioner no. 6, as he has been arrested.



The application with respect to petitioner no. 6 /Ramlal Mukhiya stands dismissed as withdrawn.

The petitioner nos. 1 to 5 seek bail in anticipation of their arrest in connection with Motihari Mahila P.S. Case No. 16/2020 G.R. Case No. 3099/2020 instituted for the offence under Sections 420, 406 and 493/34 of the Indian Penal Code.

The informant has alleged that her marriage was fixed with one Anirudha Kumar but later demand of money was put up by Anirudha Kumar and his family members for construction of a house.

Learned counsel for the petitioners has submitted that in the F.I.R., it has been stated that the amount so demanded by aforesaid Anirudha Kumar was deposited in his account and not in the account of petitioner nos. 1 to 5. The petitioner nos. 1 and 2 are the mother and sister-in-law of the aforesaid Anirudha Kumar whereas petitioner nos. 3, 4 and 5 are the brothers of the aforesaid Anirudha Kumar. From the tenor of the accusation in the F.I.R, it would appear, as has been argued, that Anirudha Kumar was



responsible for his act and he was also maintaining close liaison with the informant. Money also was received by him. In such a situation, therefore, any further accusation of additional demand cannot be saddled on the petitioner nos. 1 to 5, who have got no role to play so far the affairs of aforesaid Anirudha Kumar is concerned. Anirudha Kumar, admittedly is employed with the Indian Navy and he himself had fixed his marriage with the informant.

Learned counsel for the petitioners has also submitted that according to their information, Anirudha Kumar has now been returning the money which he had received from the informant in installments and that amount is being accepted by the informant.

Considering the aforesaid facts, the petitioner nos. 1 to 5 are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Motihari, in connection with Motihari
Mahila P.S. Case No. 16/2020 G.R. Case No. 3099/2020,
subject to the condition laid down under Section 438 (2) of
the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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