

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83205 of 2019
Arising Out of PS. Case No.-610 Year-2018 Thana- MADHAURAH District-
Saran

- =====
1. Tinku Kumar Singh @ Tinku @ Tinku Kumar Son of Krishna Singh Resident of Village - Pojhi, P.S.- Marhowarah, Distt - Saran.
 2. Krishna Singh Son of Late Deenanath Singh Resident of Village - Pojhi, P.S.- Marhowrah, Distt - Saran.
 3. Usha Devi Wife of Krishna Singh Resident of Village - Pojhi, P.S.- Marhowrah, Distt - Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioners : Mr. Harish Kumar, Advocate

For the Opposite Party/s: Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 06-10-2021 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners states that the petitioner no. 2 has been arrested and as such the anticipatory bail petition of petitioner no. 2 has become infructuous and seeks permission to withdraw the same.

3. Permission is accorded. The anticipatory bail petition of petitioner no. 2 stands dismissed as withdrawn.

4. The petitioner nos. 1 and 3 have renewed their prayer for anticipatory bail in connection with Marhowrah P.S. Case No. 610 of 2018 for the offences alleged under Sections 363, 366A, 376 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, having earlier been rejected by order dated



26.04.2019 in Cr. Misc. No. 27438 of 2019.

5. Learned counsel for the petitioner nos. 1 and 3 states that in a subsequent development, the statement of the so-called victim girl was recorded under Section 164 Cr. P.C. wherein she has categorically stated that she had solemnized marriage with one Deepak Singh on 11.07.2018 and is living in her Sasural. In her statement, she admitted herself to be of 21 years of age and she is also pregnant. It is therefore submitted that the ingredients of Section 366A IPC are not satisfied. The petitioners Nos. 1 and 3 claim clean antecedents.

6. Learned APP appears and has been heard.

7. Be that as it may, in the event of petitioners' arrest (except petitioner no. 2) or surrender before court below within six weeks from the date of communication of this order, let the petitioners (except petitioner no. 2) above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran in connection with Marhowrah P.S. Case No. 610 of 2018, if they are not otherwise required in any other case.

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(Vikash Jain, J)

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