

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6350 of 2022

Arising Out of PS. Case No.-383 Year-2021 Thana- MADHAURAH District- Saran

1. DEO KALI DEVI @ DEVKALI DEVI Wife of Chandeshwar Ram Resident of Village babu Ke Asoiyan, P.S. - Marhowrah, District - Saran.
2. Asha Devi Wife of Nageshwar Ram Resident of Village babu Ke Asoiyan, P.S. - Marhowrah, District - Saran.
3. Chandeshwar Ram Son of Late Jagdish Ram Resident of Village babu Ke Asoiyan, P.S. - Marhowrah, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2022 Heard the parties.

The petitioners apprehend their arrest in connection with Marhowrah P.S. Case No.383/21, registered for the offence punishable under Sections 341, 323, 504, 376, 313/34 IPC.

The prosecution case in short is that the informant used to reside in her aunt's house since last one year, where, the co-accused namely Rohit used to establish physical relationship with the informant on the pretext of marriage and ultimately she got conceived. It is alleged that all the FIR named accused persons including the petitioners started pressurizing the informant for abortion and lately they assaulted her brutally due to which she



suffered miscarriage.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence as alleged has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Rohit. The petitioners are living separately from the co-accused Rohit. It is submitted that the informant is a major and medical report indicates that there is no evidence of recent sexual intercourse. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Heard the parties and gone through the records. Vide order dated 28.07.2022, statement of the victim was recorded u/s 164 Cr.P.C. and case diary was called for and on perusal of the same, it is clear that she has supported the prosecution case.

Considering the same, I am not inclined to grant the petitioners privilege of anticipatory bail. Their prayer is rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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