

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19028 of 2022

Arising Out of PS. Case No.-244 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

1. Ashok Singh, S/O Jawahar Singh Resident Of Village- Ragho Majhaulia, P.S.- Bochaha, District- Muzaffarpur
2. Arun Singh, S/O Jawahar Singh Resident Of Village- Ragho Majhaulia, P.S.- Bochaha, District- Muzaffarpur
3. Lalan Singh, S/O Jawahar Singh Resident Of Village- Ragho Majhaulia, P.S.- Bochaha, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Munni Devi, W/O Nand Kishore Tiwari Resident Of Village- Kanhara Hardas, P.S.- Bochaha, District- Muzaffarpur
3. Kajal Kumari @ Kajal Devi, D/O Nand Kishore Tiwari Resident Of Village- Kanhara Hardas, P.S.- Bochaha, District- Muzaffarpur At Present Ragho Majhaulia P.S. Bochaha, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sunil Kumar No. III
For the Opposite Party/s :	Mr. Anil Kumar
	Mr. Hans Lal Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363, 366 and 379 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are own brothers of Deepak Singh, who is an accused in the present case



with whom victim was in love. It is next submitted that the informant alleges that on 17.06.2019 at about 10.00 A.M., Deepak Singh and Bablu Tiwari took tea at her house and thereafter informant went out of the house and when she returned after an hour did not find her daughter and even found some articles missing. It is next alleged that later the informant on inquiry came to know that Bablu Tiwari and Deepak Singh enticed her daughter and while fleeing, the informant's daughter took gold ornaments and Rs.40,000/- along with her.

The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the victim was in love with Deepak Singh and thus, she fled with ornaments and cash in absence of the informant. It is also submitted that it appears that Deepak Singh was well-known to the family of the informant and as such, had access to the house of the informant as he was having tea in the house of the informant and also that informant knowing Deepak Singh was in the house had left her house for sometime. It is further submitted that petitioners being brothers of Deepak Singh have been falsely implicated in the present case. It is next submitted that even the victim in her statement recorded under Section 164 of the Cr.P.C. has not taken the name of the



petitioners.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bochaha P. S. Case No.244 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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