

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57240 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- CHIRAIYA District- East Champaran

1. HARINARAYAN SINGH Son of Late Sakanchan Singh Resident of Village- Madhubani, P.S.- Chiraiya, District- East Chamapran.
2. Manish Kumar Son of Harinarayan Singh Resident of Village- Madhubani, P.S.- Chiraiya, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Singh, Sr. Advocate Mr. Karandeep Kumar, Advocate
For the State	:	Mr. Amit Kumar Rakesh, APP
For the Informant	:	Mr. Rana Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-09-2022 Heard Mr. Rajesh Singh, learned senior counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 366/34 of the Indian Penal Code.

The son of petitioner no.1 in association of other co-accused is said to have kidnapped the daughter of the informant after luring her.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a



matter of fact, petitioner no.1 is Samdhi of informant and petitioner no.2 is son of petitioner no.1. The marriage of daughter of petitioner no.1 was solemnized with the son of informant eight years back but due to non-fulfillment of demand of dowry, the informant alongwith his family member, ousted the daughter of petitioner no.1 from the house after torturing her for which the daughter of petitioner no.1, namely, Sheela Devi filed a complaint case vide Complaint Case No.104 of 2018 against the informant and his-in-laws on 03.05.2018 in which cognizance was taken against informant and his in-laws. The informant lodged the present case against petitioner no.1 and his family members with intention to compel them to withdraw/compromise the case of matrimonial dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that there is delay of 8 days in lodging the present F.I.R. without assigning any cogent and plausible reason for the said delay which creates serious doubt about the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Chiraiya P.S. Case No.10 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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