

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63563 of 2021

Arising Out of PS. Case No.-840 Year-2020 Thana- KHAGARIA District- Khagaria

1. Kumar Navin Chandra @ Navin Chandra Singh S/o Hari Prasad Singh Resident of Village and Post- Dharhi, P.S.- Beldaru, District- Khagaria, Bihar.
2. Diwakar Prasad Singh @ Diwa Kumar Singh S/o Late Chndrika Prasad Singh @ Late Chandi Prasad Singh Resident of Village and Post- Dharhi, P.S.- Beldaru, District- Khagaria, Bihar.
3. Fulendra Narayan Singh @ Phulendra Kumar Singh S/o Late Saryug Prasad Singh Resident of Village and Post- Dharhi, P.S.- Beldaru, District- Khagaria, Bihar.
4. Chandan Kumar Singh @ Munna Singh @ Kumar Chandan Singh S/o Phulendra Kumar Singh Resident of Village and Post- Dharhi, P.S.- Beldaru, District- Khagaria, Bihar.
5. Manish Kumar Singh @ Sona Singh S/o Phulendra Kumar Singh Resident of Village and Post- Dharhi, P.S.- Beldaru, District- Khagaria, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Khagaria P.S. Case No. 840 of 2020, registered for the offences punishable under Sections 379, 323 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, all the accused persons along with 35-



40 persons including petitioners entered into the house of informant's sister. All the accused persons assaulted his sister and damaged the household articles and also took away his wife Kriti Kumari.

It is submitted that petitioners and informant are co-villagers and petitioners have been falsely implicated in this case. As a matter of fact informant and his family kidnapped the daughter of co-accused Nutan Devi in which the statement of Kriti Kumari was recorded under Section 164 Cr.P.C and in her statement she has made specific allegation that while she was going to MaheshKhut her maternal home for filling up form. In the meantime, informant who was known to her rang her on mobile and called her to come to Khagaria where she went. She further stated that when reached there, informant offered her tea and after taking the tea she became unconscious when she regained her consciousness she found herself in a temple where informant and his relative were also present and against her will informant married with her. There is no eye-witness of the occurrence. In fact, the informant kidnapped Kriti Kumari and married her without her consent upon which, maternal grandfather of Kriti Kumari has lodged a case bearing Khagaria PS Case No. 846 of 2020 on 10.11.2020. In retaliation, this false



and fabricated case has been lodged. Petitioners claim clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 840 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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