

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64309 of 2021

Arising Out of PS. Case No.-2487 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. CHUMAN SAHANI Son of Shambhu Sahani Resident of Village- Majharia, P.S.- Pipra Kothi, District- East Champaran.
 2. Vikki Devi W/o Chuman Sahani Resident of Village- Majharia, P.S.- Pipra Kothi, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Prabha Devi Wo Devendra Sahani Resident of Village- Majharia, P.S.- Pipra Kothi, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Ranjana Srivastava
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-07-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 366(A), 366(A), 376 and 120(B) of the Indian Penal Code.

The case of the complainant in short is that all the accused persons took away daughter of the complainant in their house and thereafter, co-accused Ranjan Kumar made physical relation with her and ousted her after torturing from their house. It is further alleged that when complainant came to the house of accused persons, they also assaulted her with fists & slaps and ousted her and also refused to keep her daughter at their house.



It is submitted on behalf of petitioners that specific allegation of making physical relation with daughter of complainant is against co-accused Ranjan Kumar. So far as petitioners are concerned, there is general and omnibus allegation. No offence under Sections 376 or 366(A) of the I.P.C. is made out against these petitioners. As a matter of fact, marriage of the victim girl has already been solemnized with one Rahul Kumar and now, she is leading conjugal life with her husband. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation and clean antecedent of petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 14th, Motihari, East Champaran in connection with Complaint Case No. 2487 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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