

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16867 of 2023**

Arising Out of PS. Case No.-846 Year-2020 Thana- KHAGARIA District- Khagaria

1. PALLAVI KUMARI W/O MANDHATA SINGH NA
2. JAYANT SINGH @ JAYANT KUMAR SINGH S/O VIDYA SINGH NA
3. SUSHANT KUMAR @ SHUSHANT KUMAR S/O JAYANT SINGH @ JAYANT KUMAR SINGH NA
4. ANKIT KUMAR S/O JAYANT SINGH @ JAYANT KUMAR SINGH R/O VILLAGE- SANHAULI, P.S- CHITRAKUT NAGAR, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 18-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. The informant alleges that his maternal granddaughter (Kirti Kumari) left the house on 01.11.2020 at 4:00 pm for her *nanihal*, but on 04.11.2020, an information was received that Kirti has not reached her *nanihal*, thereafter, a search was made and during search, on 06.11.2020, he came to know that Kirti is in the house of petitioner No. 1, accordingly,



he went to the house of the petitioner No. 1 where he was assaulted by petitioner No. 2, 3 and 4 along with Bablu who also snatched his chain along with other articles as detailed in the FIR somehow he managed to flee along with Kirti.

4. Learned counsel for the petitioners submits that petitioner No. 1 has antecedent of one case and is a women and petitioner No. 2, 3 and 4 have antecedents of four cases.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the date of occurrence is 01.11.2020 and the FIR came to be instituted on 10.11.2020, it is next submitted that even presuming what has been alleged is true without admitting, then the information reached the informant on 04.11.2020 that Kirti had not reached her *nanihal* but still he did not institute any FIR. It is next submitted that the petitioner No. 3 had married Kirti and after marriage, Kirti had come to the house of the petitioner No. 1 who is sister of Sushant and since the family members of Kirti were not happy with the marriage, as such, the present false case came to be instituted, it is next submitted that even Sushant has instituted Khagaria P.S. Case No. 840 of 2020 against the side of the informant.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khagaria P.S. Case No. 846 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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