

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17689 of 2023

Arising Out of PS. Case No.-70 Year-2020 Thana- BASOPATTI District- Madhubani

1. KUSHESWAR MISHRA S/O LATE RAJESHWAR MISHRA Resident of village- Siriyapur, P.S.- Basopatti, District- Madhubani.
2. ANITA KUMARI @ ANITA DEVI S/O RAM BAHADUR THAKUR Resident of village- Siriyapur, P.S.- Basopatti, District- Madhubani.
3. CHUNNU THAKUR S/O SANJEEV THAKUR Resident of village- Siriyapur, P.S.- Basopatti, District- Madhubani.
4. RAM BAHADUR THAKUR S/O LATE MAHENDRA THAKUR Resident of village- Siriyapur, P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 25-05-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Basopatti P.S. Case No. 70 of 2020, registered for the offences punishable under Sections 188, 269, 270/34 of the Indian Penal Code and Sections 10/11 of the Child Marriage Prohibition Act, 2006.

The accused persons, numbering 100-115 in all, including the petitioners herein, are alleged to have been instrumental in solemnizing the



marriage of one Krishna forcibly with one Jyoti, on the alleged date and time of occurrence, although they were minor.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the accused persons and the petitioners are not having any connection either with the said boy or the said girl, whose marriage is alleged to have been solemnized forcibly.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact



that a general and omnibus allegation has been levelled against all the accused persons, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Madhubani in connection with Basopatti P.S. Case No. 70 of 2020, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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