

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19267 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

1. Mala Devi W/O Vinod Sahni, Resident of Village- Harser, P.S.- Siwaipatti, District- Muzaffarpur.
2. Ravi kumar S/o Vinod Sahni, Resident of Village- Harser, P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Manoj Kumar, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

The petitioners apprehends their arrest in connection with Siwaipatti P.S. Case No. 176 of 2022 registered for the offences punishable under Sections 341, 323, 376, 379, 420, 504 and 506/34 of the Indian Penal Code.

It is alleged that son of the petitioner no. 1 had been in physical relationship with the informant for the last two years and when this fact has been brought to the knowledge of his father and mother, they have asked the informant to give Rs. 50,000/-. It is further alleged that the informant paid the amount and when she further requested to get her marriage done, they refused and, thereafter, assaulted the informant and snatched her jewelleryes.



Learned counsel appearing on behalf of the petitioners submitted that prior to the institution of the present FIR, the petitioner no. 1 had filed Complaint Case No. 3462 of 2022 on 01.09.2022 against the informant, her husband and her in-laws, and when they came to know about the complaint case, the present FIR has been instituted with a concocted story. However, even as per the prosecution case the allegation of consensual physical relationship has been levelled against the son of the petitioner no. 1, namely, Dippu Kumar and so far the assault is concerned, no injury has sustained to the informant. He next submitted that both the parties are their own *gotias* and on account of some family feud this FIR has been instituted, moreover, the petitioners are having fair antecedent.

On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application.

Regard being had to the submissions made on behalf of the parties and considering the prosecution case which is specifically made against co-accused Dippu Kumar, apart from the fair antecedent of the petitioners and the nature of the allegation levelled against them, let the above named petitioners, be released on bail, in the event of their arrest of surrender before the learned Court below within a period of four



weeks from today, on furnishing bail bonds of Rs. 10,000/-
(Rupees ten thousand) each with two sureties of the like amount
each to the satisfaction of learned Sub Divisional Judicial
Magistrate, East Muzaffarpur in connection with Siwaipatti P.S.
Case No. 176 of 2022, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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