

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20858 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MOTIPUR District- Muzaffarpur

1. SHATRUDHAN BHAGAT Son of Rajendra Bhagat Resident of village-Kodar Katta, Puran Tola, Ward No. 4, P.S.-Motipur, District-Muzaffarpur
2. SHANTI DEVI Wife of Shatrudhan Bhagat Resident of village-Kodar Katta, Puran Tola, Ward No. 4, P.S.-Motipur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard Mr. Alok Kumar Alok, learned counsel for the petitioners and Ms. Madhuri Lata, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Motipur PS Case No. 15/2023 dated 15.01.2023 registered for the offence punishable under Sections 376, 504 and 506 of the IPC.

3. As per prosecution story, the son of the petitioners on the pretext of marriage established physical relationship with the daughter of informant due to which she became pregnant. It has further been alleged that when the informant went to make complaint before the petitioners regarding conduct of the son of the petitioner, they abused the informant.

4. Learned counsel for the petitioners submits that from perusal of the FIR itself, it would be evident that allegation



of committing rape and establishing physical relationship is upon the son of the petitioners and the petitioners have falsely been implicated in this case only because they happen to be parents of the accused, Niraj Kumar.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that petitioners are parents of the co-accused, Niraj Kumar and the only allegation against them that they abused the informant when the informant made complaint about the conduct of their son, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-2nd, Muzaffarpur (West) in connection with Motipur PS Case No. 15/2023, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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