

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46448 of 2022

Arising Out of PS. Case No.-388 Year-2021 Thana- PURNEA SADAR District- Purnia

1. Avinash Kumar Singh @ Avinash Kumar, Son of Late Shashi Bhushan Singh, Resident of village - Satyedeo Belaury, Ward No.- 44, P.S.- Muffasil, Distt.- Purnea.
2. Most. Lalita Devi, Wife of Late Shashi Bhushan Singh, Resident of village - Satyedeo Belaury, Ward No.- 44, P.S.- Muffasil, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-03-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 365, 366, 379/34 of the Indian Penal Code.

As per prosecution case, these petitioners along with one other co-accused person carried away the wife of the informant, Rs. 40 lacs and other items from his house for the purpose of marriage.

Learned counsel appearing for the petitioners submits that the victim, aged about 27 years and mother of two children, in her statement recorded under Section 164 of the Code of



Criminal Procedure has categorically stated that co-accused Vikash Kumar Singh forcibly took her away and solemnized marriage. So far these petitioners are concerned, they are alleged to have assisted Vikash Kumar Singh. There is no allegation of sexual assault against these petitioners.

Petitioner No. 1 is brother and petitioner No. 2 is mother of the co-accused Vikash Kumar Singh.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in Sadar (Muffasil) P. S. Case No. 388 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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