

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60398 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- RIVILGANJ District- Saran

1. HIRA MUNI DEVI WIFE OF LATE KAMESHWAR NUT RESIDENT OF VILLAGE ASHWAN THOTHA, SAHTAWAR, DIST- BALIA (U.P.)
2. BITU NUT SON OF LATE KAMESHWAR NUT RESIDENT OF VILLAGE ASHWAN THOTHA, SAHTAWAR, DIST- BALIA (U.P.)
3. GEETA DEVI WIFE OF RAJENDRA NAT RESIDENT OF VILLAGE ASHWAN THOTHA, SAHTAWAR, DIST- BALIA (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Himanshu Ranjan, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are in custody in connection with Rivilganj P.S. Case No. 88 of 2023 for the offence punishable under Section 366 (A) of the IPC lodged on 18.04.2023 by the informant Sharda Devi.

3. As per the prosecution story, the allegation is that the victim girl who was in relationship with one Banke Lal Bihari and wanted to marry him for which she fled away from her house and reached Chapra Junction. However, despite her telephone calls, he failed to reach the station and later the



petitioners took her to the house of Ram Amar Yadav and got her married to him. Later, the police recovered her from the said place.

4. It is the case of the petitioners that it was not a kidnapping, she herself fled away from home as Banke Bihari Lal did not turned up, she did not wanted to return and went with them subsequently on her own got married to said Ram Amar Yadav in the State of Uttar Pradesh. As the FIR was lodged, the police recovered her whereafter she has narrated a different story under section 164 Cr. Pc. stating that money transaction took place for the said marriage.

5. Learned APP opposes the prayer stating that the girl has alleged exchange of money for the marriage.

6. Considering the submissions put forward by the learned counsel for the parties, in view of the fact that two of the petitioners are lady, they are in custody since 23.06.2023 (as stated in paragraph- 1 of the bail petition), the sole male accused is young boy of 23 years, FIR has been lodged and all of them will be facing the trial, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



like amount each to the satisfaction of learned J.M.- 1st Class,
Saran at Chapra, in connection with Rivilganj P.S. Case No. 88
of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of
the petitioner who shall provide official document to show their
bona fide;

(ii) the petitioners shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of their
bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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