

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65174 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- MAHILA PS District- Jehanabad

1. GEETA DEVI, Female, aged about 55 years, WIFE OF SURENDRA YADAV VILLAGE- AGNI, PS. BELAGANJ, DIST. GAYA
2. RAM ESHWAR YADAV, Male, aged about 59 years, SON OF LATE BAL DEV YADAV RESIDENT OF VILLAGE AGNI, PS BELAGANJ, DIST- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar George, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Jitendra Kumar George, learned counsel appearing on behalf of the petitioners and Mr. Umesh Lal Verma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jahanabad Mahila P.S. Case No. 12 of 2023 dated 18.05.2023 registered for the offence(s) punishable under Sections 376, 420/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. Allegation is that of breach of trust and committing forgery and rape upon the informant against the accused persons.

4. Learned counsel appearing on behalf of the



petitioners submits that the informant has admitted that she was in relationship with the son of petitioner no.1 and nephew of petitioner no.2, who allegedly had promised the informant to marry. He further submits that the informant has admitted that she was in relationship with the son of petitioner no.1 and when the marriage could not be solemnized between the informant and son of petitioner no.1, a false case has been lodged against all the family members by the informant to pressurize the petitioner to perform marriage with her. Petitioner no.1 is the mother and petitioner no.2 are uncle of the accused Vriendra Kumar, who have no role in any manner, as alleged in the FIR.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation as well as the facts that son of petitioner no.1 and nephew of petitioner no.2 had declined to marry with the informant and informant has accepted that she was in relationship with the son of petitioner no.1, against whom, allegation of committing rape and forgery, has been alleged, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Makhdumpur, Jehanabad in connection with Jahanabad Mahila P.S. Case No. 12 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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