

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71461 of 2022

Arising Out of PS. Case No.-403 Year-2019 Thana- TEKARI District- Gaya

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1. ASHA KHATRI Wife of Rajdev Khatri Resident of village - Dulabigha, Police Station - Tekari and District - Gaya.
 2. Amarnath Khatri Son of Rajdev Khatri Resident of village - Dulabigha, Police Station - Tekari and District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2023 Heard learned counsel appearing on behalf of the parties.

The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Tekari P.S. Case No.403 of 2019 registered for the offences punishable under Sections 366A, 341, 323, 504 and 506/34 of the Indian Penal Code.

The allegation against both petitioners is to help main co-accused, namely, Dinanath Khatri in kidnapping minor daughter of informant, aged about 16 ½ years, for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioners



submitted that implication of both petitioners is only for the reason that petitioner No.1 is mother of main co-accused, Dinanath Khatri and petitioner No.2 is brother of main co-accused, Dinanath Khatri, against whom the thrust of allegation is available, as per FIR. It is submitted that as per statement of victim, as recorded under Section 164 of the Cr.P.C., no incriminating material surfaced against these petitioners, rather it was stated that main co-accused, Dinanath Khatri was falsely implicated by mother of the informant, due to disputes, arises out of money transaction. While concluding the argument, it is submitted that both petitioners are men of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as implication of both petitioners appears being relative/parent of main co-accused, Dinanath Khatri, accordingly both above named petitioners, in the event of their arrest or surrender before learned court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Gaya/concerned Court, where the case is pending in connection with Tekari P.S. Case



No.403 of 2019, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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