

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3374 of 2023

Arising Out of PS. Case No.-663 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

-
1. RANGLAL SHARMA Son of Rajeev Nand Sharma Resident of Village - Nonar, Police Station - Piro, District - Bhojpur.
 2. Meera Sharma @ Meera Devi Wife of Ranglal Sharma Resident of Village - Nonar, Police Station - Piro, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabha Sharma Wife of Sushil Kumar Resident of Village - Nonar, P.O. and P.S.- Piro, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh,Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad,APP
Mr.Ravindra Kumar,Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 12-05-2023 Heard learned counsel appearing on behalf of
petitioners, State and complainant / opposite party no. 2.

The petitioners apprehend their arrest in a complaint case punishable for the offence under Sections 341, 323, 504, 420, 376, 34 of the Indian Penal Code.

The prosecution case, in short, is that the husband of the complainant died on 30.06.2014 and thereafter, son of petitioners namely Sushil Kumar solemnised marriage with this complainant in order to grab the money, which the complainant had received on death of her first husband. It is further alleged that these petitioners and their son Sushil Kumar withdrew Rs. 16,00,000/- of the complainant in lieu of constructing the house and when the complainant said to his second husband to take



her with him in the new house, all of them started torturing her physically and mentally. The son of petitioners also made sexual relation with the complainant several times and on pretext of marriage.

It is submitted on behalf of petitioners that petitioner no. 1 is retired teacher and petitioner no. 2 is his wife and they have committed no offence. Specific accusation of taking money of complainant and establishing sexual relation on the pretext of marriage is against co-accused Sushil Kumar and these petitioners have been made accused in this case merely because they happen to be parents of the co-accused Sushil Kumar. As a matter of fact, the complainant herself solemnised second marriage with co-accused Sushil Kumar on 17.08.2021 before Magistrate, Daudnagar, Aurangabad.

Learned counsel for the complainant vehemently opposes the prayer for bail of petitioners and submits that petitioners are parents of co-accused Sushil Kumar, who has cheated money of the complainant.

Considering the nature of allegation and the fact that petitioners have been made accused simply because they are parents of co-accused Sushil Kumar, let the above named petitioners, in the event of their arrest/surrender within a period



of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhojpur at Arrah in connection with Complaint Case No. 663(C) of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

