

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14551 of 2024

Arising Out of PS. Case No.-1141 Year-2023 Thana- NAWADA District- Nawada

1. Gaytri Kumari, Wife of Kaushal Kumar, D/o Satendra Kumar @ Satendra Prasad @ Satish Prasad Resident of Village- Meghrama, P.S.- Pakariwarama, Dist.- Nawada
2. Satendra Kumar @ Satendra Prasad @ Satish Prasad, Son of Late Vasudev Mahto @ Baso Mahto, Resident of Village- Meghrama, P.S.- Pakariwarama, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Town Nawada P.S. Case No. 1141 of 2023, registered on 19.07.2023 for the offences under Sections 363, 365/34 of the Indian Penal Code and Section 10/11 of the Prohibition of Child Married Act, 2006.

3. As per prosecution case, petitioners and other co-accused persons forcibly solemnized marriage of the minor son of the informant with petitioner no.1 after kidnapping him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. The son of the informant is not minor and his age is more than 20 years and the Aadhar Card shows his date of birth to be 01.01.2003. Petitioner no.2 and his wife are blind. Petitioner no.1 is pregnant after marriage with son of the informant. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners and further considering the possibility of false implication in the background of majority of the son of the informant, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/concerned court in connection with Town (Nawada) P.S. Case No. 1141 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the



petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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