

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19748 of 2024

Arising Out of PS. Case No.-946 Year-2023 Thana- MADHEPURA District- Madhepura

1. Dinesh Prasad Yadav @ Dinesh Yadav S/o Late Nasib Lal Yadav R/o Village- Durgi Tola, Ward No. 06, Budhma, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura
2. Domi Yadav @ Domi Kumar S/o Dinesh Prasad Yadav @ Dinesh Yadav R/o Village- Durgi Tola, Ward No. 06, Budhma, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363, 366(A), 120(B), 504, 506 of the Indian Penal Code.

1. The learned counsel for the petitioners submit that petitioners are person with clean antecedent and have been falsely implicated in the instant case by the informant for ulterior reasons.

3. It is next submitted that the date of occurrence is 23.07.2023 and the FIR has been instituted on 13.09.2023 i.e.



after a delay of more than 50 days, which cast an aspersion on the case of the prosecution. It is next submitted that from perusal of the allegations alleged in the FIR, it would manifest that the informant alleges that her minor daughter aged about 16 years disappeared from the house on 23.07.2023 and later he came to know that the accused persons were involved in the occurrence and they got his minor daughter married to Bittu Kumar who was married from before. The learned counsel submits that petitioners are not related to Bittu, but then are known to him. It is next submitted that the victim and Bittu were in love and the victim eloped and thereafter married Bittu, but when his wife started opposing the marriage, the present false case came to be instituted and that perhaps explains why no plausible explanation has been given in the FIR for instituting the delayed FIR.

4. The learned APP opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No.946 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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