

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49664 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- AWTARNAGAR District- Saran

1. Chathu Mahto S/o Late Dhanai Mahto R/o village Manupur, PS Dighwara, District Saran
2. Rajmunia Devi @ Laxmina Devi W/o Chathu Mahto R/o village Manupur, PS Dighwara, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-09-2024 1. Heard learned counsel for the petitioners Mr. Rananjay Kumar and learned A.P.P. Mr. Jharkhandi Upadhyay.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 420, 376, 504, 506, 34 of the Indian Penal Code.
3. By order dated 14.08.2024, case diary was called for but from perusal of the case diary, it appears that case diary of some other case has been received. The Court will not wait endlessly for case diary and proceeds to decide the case on merits, based on the allegation, as alleged in the F.I.R.
4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant



alleges that Sajan Kumar, on pretext of marriage, was establishing physical relation with the informant since April, 2023, on account of which, she became pregnant, thereafter, Sajan Kumar, in presence of villagers, married her in Ram Janki Mandir, Jhauwan, and thereafter, they started living as husband and wife and he used to stay at her parental home, next alleges that about 15 days after marriage, Sajan on pretext of getting his mobile and some article, left her house, next alleges that on inquiry, she came to know that his family members had sent Sajan somewhere and said that they do not recognize their marriage, further, a panchayati was held but the petitioners were not willing to accede to the request of the panches, next alleges that she has come to know that Chathu Mahto has filed a complaint case alleging abduction of his son by the family members of the informant.

5. The learned counsel submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation, as alleged in the F.I.R., it would manifest that informant alleges that she was in a relationship with Sajan and she became pregnant and thereafter Sajan and informant performed their marriage and Sajan started staying with her at



her parental home and left her house on pretext of getting his mobile and other article and never returned. It is submitted that petitioners being parents of Sajan came to be implicated only with a view to coerce Sajan into submission. The learned counsel submits that though in the F.I.R. it is alleged that petitioner no.1 instituted a complaint case against the family members of the informant, alleging abduction of his son but then the said allegation has been alleged only to save her family members along with herself, as petitioner no.1 till date has not filed any case regarding abduction of his son. It is thus submitted that it may be a possibility that the son of the petitioners is missing, as such, the instant false case came to be instituted.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the



case is pending/successor court in connection with Awtarnagar
P.S. Case No.330/2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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