

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56629 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- CHERKI District- Gaya

1.

Priti Devi W/o Bijandu Paswan @ Anu Kumar R/o Village Piru bigha PS Chakand Dist Gaya, at present R/o vill - Murli Hill Bairagi, P.S. - Kotwali, Distt. - Gaya
2.

Monti Kumar S/o Ramji Prasad R/o vill - Murarpur Kali Asthan, P.S. - Kotwali, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 56696 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- CHERKI District- Gaya

Rajwanti Devi @ Rajanti Devi W/o Ramesh Pal R/o Village Kujapi PS Delha Dist Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 56629 of 2024)
For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP
(In CRIMINAL MISCELLANEOUS No. 56696 of 2024)
For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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19-08-2024

Heard learned counsel appearing on behalf of the parties.

2.

The petitioners seek bail in connection with Cherki P.S. Case No.11 of 2024 registered for the offence under



Sections 420, 494, 495/34 of the Indian Penal Code.

3. As per FIR, allegation against the petitioners is that on 22.04.2024 Ram Kishore asked the informant to get him married and in lieu of that the informant has to pay Rupees 75,000/-, thereafter, Ram Kishore sent photo of the girl on the WhatsApp number of the informant and the photo of the girl was appreciated and approved by the informant on 17.05.2024 and Rupees 40,000/- were given to Ram Kishore and rest Rs.35,000/- were promised to be given on the date of marriage. It is alleged also that the date for marriage was fixed on 18.05.2024 and on demand of Rupees 35,000/- were given to the accused Rajwanti Devi on the same date and only after that, marriage was performed. It is also alleged that later on, the informant came to know that the girl/woman, to whom he was married with, was already been married. It is further alleged that when the informant told her that you have cheated me, the girl told him that she will lodge a false case of kidnapping against the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that petitioners have no concern with the alleged occurrence as well as any



money transaction. It is submitted that there is delay of one day in lodging FIR. It is submitted that admittedly marriage was performed after several meetings with the bride-girl. It is further submitted that these petitioners were implicated in the present case on the basis of assumption, as they were present in the temple at the time of marriage of the informant. It is also submitted that not a single independent witnesses have supported the prosecution case, during course of investigation. It is further submitted that so far as Cr. Misc. No.56629 of 2024 is concerned, petitioner no.1 is a lady of clean antecedent and petitioner no.2 is involved in one another case also and they are in custody since 20.05.2024. It is further submitted that so far as Cr. Misc. No.56696 of 2024 is concerned, petitioner a lady of clean antecedent and she is in custody since 20.05.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners and as only Section 420 of the IPC is non-bailable and other offences are bailable, let all the petitioners, above named, are directed to be released on bail in connection with Cherki P.S. Case No.11 of 2024 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 Judicial Magistrate, 1st Class, Gaya/concerned court.

(Ramesh Chand Malviya, J)

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