

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59087 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- KADIRGANJ District- Patna

Ajeet Kumar @ Mehika (M), aged about 31 years, son of Rajdeo Yadav,
resident of village -Pokharpar, PS- Kadirganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kadirganj PS Case No.50 of 2023 dated 18.04.2023, instituted
under Sections 341, 323, 366, 448, 504, 506 of the Indian Penal
Code.

3. The allegation against the petitioner is that on the
pretext of marriage, he eloped with the daughter-in-law of the
informant, namely, Phulwa Devi on 28.03.2023 at around 7 am
and his younger brother Bhalwa Kumar, after drinking alcohol,
abused and threatened to kill him at his home.

4. Learned counsel for the petitioner submits that the
present case has been lodged against the petitioner and his
brother Bhalwa Kumar. It is further submitted that the daughter-



in-law of the informant, namely, Phulwa Devi, has filed Informatory Petition No.221 of 2023 in the Court of the ACJM, Masaurhi, against the informant, Birju Prasad, Pappu Kumar (husband of Phulwa Devi) and other family members. Pappu Kumar is the husband of Phulwa Devi. It is stated in the informatory petition that Phulwa Devi was married with Pappu Kumar about fifteen years ago and one son aged about 11 years and one daughter aged about 7 years were born out of the wedlock. Her husband and family members are drunkard and they always indulged in beating her as she used to protest their habit of drinking. It is further stated in the informatory petition that on 31.03.2023, in the night, her husband and in-laws assaulted her with iron rod and attempted to kill her and on her crying the neighbours came and saved her life and since then she has been hiding herself on account of threat on her life. It is further submitted that the petitioner is also a married man having two children aged about 6/7 years. The fact of the matter is that the petitioner has a piece of land adjacent to the house of the informant and he always used to pressurize the petitioner to sell the land to him, but when he found that the petitioner is not ready to sell, he has implicated him in this false case. There is no specific allegation. FIR has been lodged against two persons.



The daughter-in-law of the informant has not been made accused while she is a married woman. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Masaurhi, in Kadirganj PS Case No.50 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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