

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69619 of 2024

Arising Out of PS. Case No.-798 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

1. Arti Kumari @ Arti Devi D/o Ganga Ram R/o Village ward N 35, P.H.E.D Colony, Kali Asthan, PS- Town, Dist- Begusarai Bihar
2. Sahitya Raj @ Niraj Kumar S/o Ganga Ram R/o Village ward N 35, P.H.E.D Colony, Kali Asthan, PS- Town, Dist- Begusarai Bihar
3. Indu Devi W/o Ganga Ram R/o Village ward N 35, P.H.E.D Colony, Kali Asthan, PS- Town, Dist- Begusarai Bihar
4. Ganga Ram S/o Sone Lal Ram R/o Village ward N 35, P.H.E.D Colony, Kali Asthan, PS- Town, Dist- Begusarai Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-12-2024 Heard Mr. Dhananjay Kumar, learned counsel for the petitioners and Mr. Shailendra Kumar Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Begusarai Town P.S. Case No. 798/ 2023 dated 28.12.2023 registered for the offence(s) punishable under Section(s) 366A and 34 of the IPC.

3. The main submissions advanced by learned counsel for the petitioners are that the allegations levelled in the FIR are totally false, in fact, the instant matter relates to forceful



marriage by the parents of so-called victim with the co-accused, Lakshman Kumar who happens to be the brother of the petitioner No.1 and in this regard, the victim's own statement is very relevant in which she stated that on 23.12.2023, she, her parents and co-accused, Lakshman Kumar went to Simariya Bindtoli where they lived for 6-7 days and thereafter, went to Sahebpur Kamal where her parents and aunt of the co-accused, Lakshman Kumar married her to the co-accused, Lakshman Kumar. It is further submitted that there is case and counter case in between the parties and the petitioner No.1 is a practicing advocate and she has been made accused mainly in order to ruin her career, in actual, the co-accused, Lakshman Kumar, son of petitioners Nos.3 and 4, was kidnapped by the prosecution party and during the investigation, the said Lakshman Kumar was recovered with the daughter of the informant and then the real story came into light.

4. Learned APP appearing for the State has though opposed the bail prayer of the petitioners but fairly accepted that the victim in her statement under section 164 of the Cr. P. C. supported the factum of forceful marriage by her parents with the co-accused, Lakshman Kumar.

5. Considering the facts and circumstances of this



case as well as the above submissions, this court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Begusarai Town P.S. Case No. 798/ 2023 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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