

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81374 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- KARPURIGRAM District- Samastipur

1. Mahesh Kumar Son of Late Prabhu Singh Resident of Village- Chakasaraf, P.S.- Samstipur Muffassil, Samastipur, Bihar-848101, The current address is Sunhara Alinagar, P.S.- Krishnanagar, Distt.- Lucknow, Uttar Pradesh-226001
2. Kajal Devi @ Abha Devi alleged Wife of Manoj Kumar Singh Resident of Village- Chakasaraf, P.S.- Samstipur Muffassil, Samastipur, Bihar-848101, The current address is Sunhara Alinagar, P.S.- Krishnanagar, Distt.- Lucknow, Uttar Pradesh-226001
3. Susheela Devi Wife of Ashok Singh @ Ashok Kumar Singh @ Ashok Kumar The current address is Sunhara Alinagar, P.S.- Krishnanagar, Distt.- Lucknow, Uttar Pradesh-226001

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Singh Son of Late Prabhu Singh Resident of Village- Chakasaraf, P.S. - Samastipur Mufassil, Samastipur, bihar-848101

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Piyush Kumar Pandey
For the State	:	Mr.Ram Priya Sharan Singh
For the informant	:	Mr. Mritunjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 11-12-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.2. This application, for grant of anticipatory bail, arises out of Karpurigram Police Station Case No. 106 of 2023, dated 30.09.2023, disclosing offences punishable under Sections 406/420/379/497/366/498 of the Indian Penal Code. |
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3. The prosecution case, as per the First Information Report based upon the complaint petition filed by the Opposite Party No. 2, is that the informant's mother-in-law (petitioner no. 3) visited the house of the informant and while returning, the informant's wife (petitioner no. 2) and the informant's younger brother (petitioner no. 1) accompanied her on the assurance of the petitioner no. 3 that she would try to get a suitable match for the petitioner no. 1 in the village. When the informant's wife and his younger brother did not return, the informant made enquiry from the petitioner no. 3 and she told that his younger brother has solemnized marriage with his wife, i.e. petitioner no. 2. It has further been alleged that the petitioners in conspiracy with each other cheated the informant and has sold the petitioner no. 2 to some gang for illicit purposes.
4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to the fact that the petitioner no. 2 was in live-in relationship with the informant-Opposite Party No. 2 and no formal marriage was performed between them. Since the informant was having drinking habit, the petitioner no. 2



performed marriage with petitioner no. 1 in a temple at Lucknow, which would be evident from Annexure 2.

5. On the other hand, learned Counsel for the informant- Opposite Party No. 2 opposes the prayer for anticipatory bail and submits that the petitioner no. 2 is married wife of the informant and the petitioners, in connivance, allured the informant's wife and sold her to a gang for illicit purposes.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner no. 2 has performed marriage with petitioner no. 1, the petitioner no. 1 is the own brother of the informant and it appears to be a family dispute amongst them, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur,



in connection with Karpurigram Police Station Case No.
106 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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