

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9007 of 2017

Arising Out of PS.Case No. -104 Year- 1997 Thana -MAHUA District- VAISHALI(HAJIPUR)

- =====
1. Nilu Devi, D/o Raj Ballam Paswan, Resident of Village- Panapur, Chakbaladhari, P.S.- Sadar, District- Vaishali.
 2. Soni Devi, W/o Rajdev Paswan, Resident of Village- Bisunpur Bejha, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd., APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-03-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in Mahua P.S. case No.104 of 1997 registered under Sections 366, 366(A) and 120(B) of the Indian Penal Code, pending before the court of Chief Judicial Magistrate, Vaishali.

Allegation is that the accused persons including the petitioners have kidnapped the minor grand daughter of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. Both petitioners are ladies. There is love affairs between victim and co-accused Satendra Kumar Paswan. The other accused persons of the present case have been acquitted in course of trial by the Sessions Court.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. The victim in her statement recorded under Section 164 Cr.P.C. has alleged that it is the petitioners, who had forcibly taken her along with them. The main allegation has been made against them for carrying the victim. The acquittal of the other co-accused is of no help to these two petitioners.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioners. Prayer for anticipatory bail is rejected.

Anyhow if the petitioners surrender in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order preferably on the same day.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

