

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13324 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- BASANHI District- Saharsa

1. Fekni Devi, Wife of Premlal Sah, Resident of Village- Bariban, P.S.- Basanahi, District- Saharsa.
2. Anand Sah @ Anand Kumar, Son of Kishor Sah Resident of Village- Bara Sihol, P.S.- Bihara, District- Saharsa.
3. Renu Devi @ Renu Kumari, Wife of Anand Sah, D/o Premlal Sah Resident of Village- Bara Sihol, P.S.- Bihara, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Shailendra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Basanahi P.S. Case No.107 of 2018 for the offence punishable
under Sections 363, 365/34 of the Indian Penal Code.

The allegation against the petitioners is that
petitioners along with other co-accused persons abducted the
minor son of the informant from the village on 14.09.2018.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case inasmuch as
both the informant as well as the petitioners are neighbour and



due to previous enmity, the petitioners have been implicated in an offence which had taken place on 14.09.2018 but the First Information Report was instituted by the informant after lapse of about one month on 11.10.2018.

Learned counsel for the petitioner further submits that the petitioner No.2 and 3 are son-in-law and married daughter of petitioner No.1 who live outside of the village in matrimonial home. Learned counsel for the petitioners fuhrer submits that family members have falsely been implicated due to the fact that earlier petitioner No.1 had lodged a complaint case against father-in-law and mother-in-law of the informant alleging assault. Learned counsel for the petitioners further submits that there is no specific allegation against the petitioners except suspicion which has been raised in the case diary.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the parties reside in the same village and are neighbour and there is previous dispute between the parties and further that the First Information Report was lodged after lapse of about one month from the date of occurrence, I am inclined to grant anticipatory bail to the petitioners.



Accordingly, all the petitioners, named above, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Saharsa, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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