

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1520 of 2019**

Arising Out of PS. Case No.-81 Year-2019 Thana- MINAPUR District- Muzaffarpur

1. SUNITA DEVI Wife of Late Dharamnath Sah
 2. Anita Devi Wife of Prem Kumar Sah
 3. Indu Devi Wife of Sunil Kumar Sah
 4. Prem Kumar Sah Son of Late Dharamnath Sah
 5. Sunil Kumar @ Sunil Kumar Sah Son of Late Dharamnath Sah
- All are resident of Village - Neura, Khanejadpur, P.S.- Minapur, District- Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Yugal Kishore

For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 16-04-2019

Heard the parties.

The appellants are apprehending their arrest in connection with Minapur P.S.case No.81 of 2019 dated 23.2.2019, registered for offences punishable under Sections 365, 366/34 of the Indian Penal Code and Section 3(1)(r)(w), (ii)(v-a) of Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act.

Allegation against the appellants and others is of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the appellants is that they have been made accused only on the basis of suspicion and the appellant nos.1 to 3 are ladies , out of which appellant no.1 is aged about 70 years.

Heard learned Spl. P.P., who has opposed the prayer for bail on the ground that the girl has not been recovered.



Having heard both sides and in view of the facts and circumstances as stated above, as the appellant no.1 to 3 are ladies, let the appellant nos.1 Sunita Devi, 2. Anita Devi and 3. Indu Devi surrender before the learned Special Judge within a period of six weeks from the date of receipt of the order and on surrender they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 11th Addl. Sessions Judge cum Spl. Judge (SC/ST) Act, Muzaffarpur in connection with Minapur P.S.Case No.81 of 2019 dated 23.2.2019, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that they will co-operate in the investigation.

So far appellant nos. 4 Prem Kumar Sah and 5. Sunil Kumar @ Sunil Kumar Sah are concerned, I am not inclined to grant them privilege of anticipatory bail rather let the appellant nos. 4 and 5 surrender before the learned Special Judge within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned special judge on its own merit.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

