

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26679 of 2019

Arising Out of PS. Case No.-284 Year-2018 Thana- MOKAMAH District- Patna

1. Meena Devi Wife of Late Devendra Singh Resident of Village - Mokama Ward No.11, P.S.- Mokama, Distt.- Patna.
2. Rani Kumari D/o Late Devendra Singh Resident of Village - Mokama Ward No.11, P.S.- Mokama, Distt.- Patna.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mokama P.S. Case No. 284 of 2018, registered under Section 364/34 of the Indian Penal Code.

Petitioners extended threatening of kidnapping of his father to the informant on his mobile as petitioners have animosity with his father. Later on, while his father was in the house of Sitaram Kumar four unknown miscreants arriving at the house of Sitaram Kumar started assaulting his father when his father stepped out from the said house to escape the assault, the aforesaid persons gave him chase.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are



quite innocent and have been falsely implicated in this case. They have no concern with the aforesaid occurrence. There is an inordinate delay of 25 days in lodging the F.I.R. The father of the informant was mentally disturbed and he has left the house to some unknown place. Petitioners are lady and have no criminal antecedent. Hence, they may be enlarged on bail.

Learned APP for the State opposed the prayer for bail submitting that during the course of investigation CDR of the mobile of the informant and accused persons was taken. As per the aforesaid CDR, petitioners had interacted with the informant thrice for 44 seconds, 88 seconds and 124 seconds on the date of occurrence. Hence, they do not deserve bail.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the same day.

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(Prakash Chandra Jaiswal, J)

