

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29880 of 2020

Arising Out of PS. Case No.-147 Year-2018 Thana- PARIHAR District- Sitamarhi

1. SONI DEVI Wife of Shankar Thakur Resident of Village- Sukki Musarniya, P.S.- Parihar, District- Sitamarhi.
2. Bebi Devi Wife of Pankaj Thakur Resident of Village- Sukki Musarniya, P.S.- Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Parihar Police Station Case No. 147 of 2018, disclosing offences under Sections 366-A/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the minor daughter of the informant was abducted by co-accused Balmiki Thakur, who took her to Mumbai.

Learned Counsel for the petitioners submits that the petitioners, who are ladies, have falsely been implicated in this



case on the basis of the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973. He further submits that there was love affairs between co-accused Balmiki Thakur and the victim girl and the victim girl had eloped with co-accused Balmiki Thakur and upon return on her own, her statement was recorded under Section 164 of the Code of Criminal Procedure, 1973, in which she has stated that Balmiki Thakur forcibly took her in a Scorpio vehicle, in which the petitioners and others were sitting from before. He further submits that even from perusal of the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973, it would be evident that no overt act has been alleged against the petitioners and one of the accused persons, Bachchi Devi, whose name also find place in the statement of the victim girl, as the person sitting in the vehicle from before, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, date 08.07.2019, passed in Criminal Misc. No. 26216 of 2019.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that co-accused Bachchi Devi, whose name has been mentioned by the victim girl, in her statement recorded



under Section 164 of the Code of Criminal Procedure, 1973, as the person sitting in the vehicle from before, has been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Parihar Police Station Case No. 147 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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