

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2477 of 2021

Arising Out of PS. Case No.-559 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. JAWAHAR DHOBI @ JAWAHIR DHOBI SON OF RAM JANAM DHOBI
RESIDENT OF VILLAGE-BHADARI,P.S-BHABUA, DISTRICT-
KAIMUR AT BHABUA
2. SEEMA KUMARI DAUGHTER OF HEERA DHOBI RESIDENT OF
VILLAGE-BHADARI,P.S-BHABUA, DISTRICT-KAIMUR AT BHABUA
3. MUNIL DHOBI SON OF HEERA DHOBI RESIDENT OF VILLAGE-
BHADARI,P.S-BHABUA, DISTRICT-KAIMUR AT BHABUA
4. KUMARI DEVI WIFE OF JAWAHAR DHOBI RESIDENT OF VILLAGE-
BHADARI,P.S-BHABUA, DISTRICT-KAIMUR AT BHABUA
5. KAUSHAR ANSARI @ KAUSHAR ALI SON OF KAYAMU ANSARI @
KYAMUDDIN MIYAN RESIDENT OF VILLAGE-BHADARI,P.S-
BHABUA, DISTRICT-KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Rajani Kant Pandey, learned

Advocate for the petitioners and Mr. Ajay Kumar Jha,

learned APP for the State.

Mr. Pandey, learned Advocate seeks permission

to withdraw the application with respect to petitioner no.

5 (Kaushar Ansari @ Kaushar Ali), who has been

arrested during the pendency of this bail petition.



The application with respect to petitioner no. 5 is dismissed as having become infructuous.

The petitioners no. 1 to 4 seek bail in anticipation of their arrest in connection with Bhabua P.S. Case No. 559 of 2020 dated 29.08.2020 instituted for the offences under Section 366(A) of the Indian Penal Code.

The accusation against the petitioners is of having abducted the minor daughter of the informant. Though nothing specific has been alleged in the FIR but the victim girl in her 164 statement has alleged that one Ranjit had developed love with her but she never responded to his gestures.

Be that as it may, the learned Advocate for the petitioners has submitted that Ranjit himself was a juvenile at the time of the occurrence who was subjected to trial before the Juvenile Justice Board and has been acquitted.

However, regard being had to the nature of



accusation, I am not inclined to grant anticipatory bail to petitioners no. 1 and 3 (Jawahar Dhobi @ Jawahir Dhobi and Munil Dhobi respectively) who have been named by the victim in her 164 statement.

Accordingly, their prayer for anticipatory bail is rejected.

Should they surrender before the court below and seek bail, their applications shall be considered on its own merits without being prejudiced by the fact that the present petition on their behalf has not been entertained.

So far as petitioners no. 2 and 4 are concerned, learned counsel for the petitioners has submitted that they are ladies and though they have been named by the victim girl in her 164 statement but the accusation does not appear to be trustworthy as they are not related to aforesaid Ranjit at whose behest the victim was kidnapped.

Regard being had to the gender of petitioners



no. 2 and 4 and the fact that Ranjit himself was a juvenile, who has been acquitted by the Juvenile Justice Board, the petitioners no. 2 and 4 (Seema Kumari and Kumari Devi respectively) are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 559 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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