

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4266 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- PHULWARIYA District- Gopalganj

1. BINDA DEVI WIFE OF LATE DASHRATH RAM R/O VILLAGE-
PENDULA RAMSEN, P.S.- PHULWARIYA, DISTRICT- GOPALGANJ
2. FUL KUMARI @ PHUL KUMARI DAUGHTER OF LATE DASHRATH
RAM R/O VILLAGE- PENDULA RAMSEN, P.S.- PHULWARIYA,
DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 363, 366(A) of the Indian Penal Code.

Allegedly, the petitioners alongwith other co-accused persons kidnapped the daughter of the informant.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. The victim in her statement recorded under section 164 Cr.P.C has not supported the prosecution case and stated that she left her house in her own sweet will. Petitioners have one criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim is a minor.

Having regard to the facts and circumstances of the case, since the victim is a minor, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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