

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21851 of 2021

Arising Out of PS. Case No.-881 Year-2018 Thana- AHYAPUR District- Muzaffarpur

1. Arjun Ram, S/O Late Ruplal Ram R/O Village Khabra, Ps Sadar, District Muzaffarpur
2. Urmila Devi, S/O Late Ruplal Ram R/O Village Khabra, Ps Sadar, District Muzaffarpur
3. Mohan Ram, S/O Late Ruplal Ram R/O Village Khabra, Ps Sadar, District Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha
For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
363/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioners have antecedent of one case and the informant
alleges that she had given birth to a child on 15.08.2018 at
Abhiram Nursing Home, Aam Gola. On 17.08.2018, the
petitioners came to her house and took away her baby. It is next
alleged that all the three accused persons used to reside near her



house and as such, she was familiar with them. Accordingly, the present F.I.R. was instituted.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. The informant on her own volition had sold the child to the petitioners. It is next submitted that though the same is an offence, but then illiteracy is also a facet of life. It is submitted that the petitioners are illiterate and since they were issue less, as such, they accepted the offer of the informant and the informant after selling the child became vile and instituted the present case.

The learned counsel for the petitioners submits that from perusal of the F.I.R., it would manifest that the police after investigation, has submitted the final form in favour of the petitioners.

Learned A.P.P. opposes the bail application, but from perusal of the case diary very fairly submits that police has submitted final form in favour of the petitioner being final form no.557 of 2021 dated 20.08.2021.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Ahiyapur P. S. Case No.881 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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