

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27227 of 2021

Arising Out of PS. Case No.-2 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

1. RAJESH CHAUDHARY SON OF DUKHA CHAUDHARY Resident of Village - Bhutahi, P.S.- Sonbarsa, Distt.- Sitamarhi.
2. Chethiya Devi @ Chhathi Devi W/o Rajesh Chaudhary Resident of Village - Bhutahi, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 314, 315 and 316 of the Indian Penal Code.

The prosecution case is that the accused persons along with the parents of the complainant and these petitioners took the informant to a private hospital Sitamarhi by inducing her



and caused miscarriage of her pregnancy without her consent with the help of doctor and staff with intent to prevent a child being born alive.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that the informant had kidnapped by Anand Sah @ Nanda Sah, the mother of the informant had filed a case bearing Pupri P.S. Case No. 100 of 2018 for an offence under Sections 366(A)/34 of the Indian Penal Code and Sections 3 (2) (va) SC/ST Act against the Anand Sah @ Nanda Sah, in which petitioner no.1 was a witness in that case and for this reason, the informant has filed the present case against the petitioners. He further submits that the petitioners have clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory 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 SDJM, Sadar, Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 02



of 2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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