

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30893 of 2021

Arising Out of PS. Case No.-454 Year-2020 Thana- SONEPUR District- Saran

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1. GEETA DEVI W/O JUDGE RAY RESIDENT OF VILLAGE- SABALPUR
PACHHIYARI TOLA, P.S.- SONEPUR, DISTRICT- SARAN
 2. SITA DEVI W/O RANJEET RAY RESIDENT OF VILLAGE- SABALPUR
PACHHIYARI TOLA, P.S.- SONEPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2022 Heard the parties through virtual court proceedings.

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

The petitioners apprehend their arrest in a case in connection with Sonpur P.S. Case No. 454 of 2020, registered for the offence punishable under Sections 366(A)/ 379/ 120(b) of the Indian Penal Code.

The allegation against the petitioners is that they along with other accused persons have kidnapped the daughter of the



informant, aged about 17 years.

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 merely on suspicion. No such occurrence as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The statement of the victim was recorded under section 164 Cr.P.C., in which she stated that she is aged 19 years and on the alleged date of occurrence has left her house on her sweet will. She also stated that she has performed marriage with one Nitish Kumar and has not been kidnapped by anyone. The learned Magistrate has also assessed her age as 19 years but the learned court below has rejected the prayer for bail of the petitioner, on the ground that the victim is minor and her age is 17 years.

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

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sonpur P.S. Case No. 454 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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