

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22412 of 2022

Arising Out of PS. Case No.-328 Year-2021 Thana- RIGA District- Sitamarhi

1. Shail Devi, Wife Of Binod Sahni R/O Village-Banoul, P.S.- Riga, District-Sitamarhi
2. Suraj Kumar, Son Of Binod Kumar R/O Village-Banoul, P.S.- Riga, District-Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 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 Sections 363 and 366(A) of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his minor daughter had gone for coaching with Vikram Kumar, but after some time, Shail Devi, Suraj Kumar and Sridev Sahni were also seen following them, thereafter in the evening when her daughter did not return, she inquired about the same and came to know that Vikram Kumar



and Sridev Sahni have kidnapped her on a motorcycle with the help of accused Shail Devi and Suraj Kumar.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that victim and Vikram Kumar were known to each other from before. It is also submitted that the statement of the victim girl was recorded under Section 164 of the Cr.P.C. wherein she has categorically stated that no one had kidnapped her. The learned counsel next submits that since the victim herself has stated that no one had kidnapped her and she was in between 15-16 years, as such, it cannot be presumed that she did not understand what she said in the Court in her statement under Section 164 of the Cr.P.C.

Learned A.P.P. opposes the bail application.

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. 5,000/- (Rupees Five 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 Riga P. S. Case No.328 of 2021,



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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