

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23511 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- SAHIYARA District- Sitamarhi

1. FULO DEVI W/O JITU SAHANI @ JITU SAHNI R/o village- Mahadev, P.S.- Sahiyara, District- Sitamarhi (Bihar)
2. Jitu Sahani @ Jitu Sahni S/o Baiju Sahni R/o village- Mahadev, P.S.- Sahiyara, District- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 and 366(a) of the Indian Penal Code.

The informant alleges that her minor daughter had accompanied petitioner No. 1 and Ghina Devi for seeing Durga Puja but did not return and when the informant inquired about her daughter, she was abused and also received threatening calls from mobile of Jugeshwar Sahni.

Learned counsel for the petitioner submits that petitioners are persons with clean antecedent and petitioner No.



1 is a women. Learned counsel further submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioner No. 1 is own sister of Yugeshwar Sahni, further, the victim came back her statement was recorded under Section 164 of the CrPC wherein she has stated that she was forced to elope with Jugeshwar by petitioner No. 1. Learned counsel next submits that the statement of the victim was also recorded under Section 161 CrPC wherein she has stated that she married Yugeshwar Sahni in Durga Mandir but now she does not want to stay with him but in her statement under Section 164, she has stated that it was petitioner No. 1 who made her elope with Yugeshwar, it is next submitted that since petitioner No. 1 is own sister of Yugeshwar and petitioner No. 2 is her husband as such they have been falsely implicated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sahiyara P.S. Case No. 129 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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