

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26107 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- BEERPUR District- Begusarai

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1. FULSUNDARI DEVI Wife of Lalan Singh Resident of Village - Babhangama, P.S. - Birpur, District - Begusarai.
 2. Shivani Devi Daughter of Lalan Singh Resident of Village - Babhangama, P.S. - Birpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Birpur P.S. Case No.145 of 2021, registered for the offences punishable under Sections 364, 504 and 34 of the Indian Penal Code.

The petitioners and other co-accused persons are said to have kidnapped the daughter of the informant for committing her murder.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioner No.1 has got one criminal antecedent



whereas petitioner no.2 has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that earlier also the informant had lodged FIR against the petitioner being Birpur P.S. Case No.08 of 2018 (Annexure-2). It is submitted that petitioner no.2 is the daughter of petitioner no.1 and age of petitioner no.2 is 18 years. It is submitted that the statement of the victim was recorded in connection with Birpur P.S. Case No.08 of 2018 under Section 164 Cr.P.C. in which she had not supported the prosecution case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted that earlier also the accused persons kidnapped the daughter of the informant.

Taking into consideration the facts and circumstances of the case, I am not inclined to enlarge petitioner no.1, namely, Fulsundari Devi on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioner no.1, Fulsundari Devi is rejected.

Considering the fact that petitioner no.2, Shivani Devi has got no criminal antecedent, let petitioner no.2, Shivani Devi, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned Sub-Judge-VII-cum-A.C.J.M.-VI,
Begusarai in connection with Birpur P.S. Case No.145 of 2021,
subject to the conditions laid down under Section 438(2) of the
Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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