

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40348 of 2021

Arising Out of PS. Case No.-239 Year-2019 Thana- MADHUBAN District- East Champaran

1. JYOTI DEVI @ JYOTI KUMARI Daughter of Chhathu Paswan Resident of Village- Talimpur, Ward No. 4, P.S.- Madhuban, District- East Champaran.
2. Shanti Devi Wife of Bhajju Paswan @ Bhaju Paswan Resident of Village- Talimpur, Ward No. 4, P.S.- Madhuban, District- East Champaran.
3. Jogindra Paswan Son of Late Bishuni Paswan Resident of Village- Talimpur, Ward No. 4, P.S.- Madhuban, District- East Champaran.
4. Bhajju Paswan @ Bhaju Paswan Son of Jogindra Paswan Resident of Village- Talimpur, Ward No. 4, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 363, 366(A)/34 of the Indian Penal
Code.

Allegation is that the accused persons including the
petitioner and 3-5 unknown persons under conspiracy came to



the door of the informant and on the point of weapon the daughter of the informant was dragged by co-accused Sonelal Kumar and petitioner No.4, namely, Bhajju Paswan and the accused persons took her away. The petitioner Nos.1 and 2 have also participated in commission of occurrence.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The victim has been recovered. Her statement under Section 164 Cr.P.C. has been recorded, in which she has stated that she had left the house out of her own will. She has not supported the allegations made in the F.I.R. The petitioner Nos.1 and 2 are ladies. The case has been instituted after five days of the alleged occurrence. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, East Champaran, Motihari in connection with Madhuban P.S. case No.239/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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