

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37287 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- SURSAND District- Sitamarhi

1. PUJA DEVI W/O RAM PUKAR MANDAL Resident of Village-Bhaluahi, P.S.-Sursand, District-Sitamarhi.
2. Ramji Mandal S/o Nirash Mandal Resident of Village-Bhaluahi, P.S.-Sursand, District-Sitamarhi.
3. Ashok Mandal S/o Manju Mandal Resident of Village-Bhaluahi, P.S.-Sursand, District-Sitamarhi.
4. Satliaa Devi W/o Nirash Mandal Resident of Village-Bhaluahi, P.S.-Sursand, District-Sitamarhi.
5. Rajkumari Devi W/o Shriya Mandal Resident of Village-Bhaluahi, P.S.-Sursand, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2022 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, 366(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1, 4 and 5 are women and the informant alleges that his minor daughter aged about 16 years was kidnapped by petitioner no.1



in connivance with the named accused persons including the petitioners and Raghunandan Mandal.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the victim and Raghunandan Mandal, who are admittedly minor were in love and they eloped and thereafter the entire family members of Raghunandan Mandal have been implicated including his father, his grand-mother, aunt (petitioner no.1) and relatives 'Ashok Mandal' and 'Raj Kumari Devi', it is next submitted that since petitioners themselves are on run as such they are not in a position to contact Raghunandan Mandal, so that they make him understand that he should come back along with girl.

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 ten weeks from today, be released on **provisional bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Sursand P.S. Case No. 165 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial court before accepting the bail bonds of the petitioners shall fix a date within the period of surrender i.e., ten weeks from today and on the said date if the victim does not return or does not come back then the provisional bail bonds of the petitioners shall stand cancelled and if the victim returns then the provisional bail shall be confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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