

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10066 of 2023

Arising Out of PS. Case No.-456 Year-2021 Thana- VAISHALI District- Vaishali

1. MOHAKIYA DEVI Wife of Shambhu Rai R/O Village - Khajauli, P.S.-
Lalganj, District - Vaishali.
2. Shambhu Rai Son of Late Ram Pravesh Rai R/O Village - Khajauli, P.S.-
Lalganj, District - Vaishali.
3. Reena Devi Wife of Pankaj Rai Resident of Village - Wahilwara, P.S.-
Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363 and 366(A)/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, the informant has full confidence that Chandan Kumar has kidnapped his minor daughter and the accused petitioners and other accused persons as named in the FIR helped in the alleged kidnapping.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners are mother, father and sister of the co-accused Chandan Kumar. He submits that there is no specific overt act against the petitioners. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the statement of the victim recorded under Section 164 Cr.P.C., let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Vaishali P.S. Case No.456 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

