

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12480 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. FUL KUMARI DEVI @ FULO DEVI Wife of Ram Shobhit Mahto @ Ram Shochit Mahto R/v, Post and P.S.- Khodawandpur, District- Begusarai
2. RAM SHOBHIT MAHTO @ RAM SHOCHIT MAHTO Son of Tipo Mahto R/v, Post and P.S.- Khodawandpur, District- Begusarai
3. MUKESH KUMAR Son of Ram Shobhit Mahto @ Ram Shochit Mahto R/v, Post and P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366(A), 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that the they are involved in the kidnapping of the daughter of informant for marriage purpose.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioner no.1 and are the mother and father of co-accused Awdhesh Kumar and petitioner no.3 is the brother of co-accused Awdhesh. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim is still traceless.

Considering the facts and circumstances of the case, as the petitioner no.1 is a lady and there is no specific allegation against her, let the above named petitioner no.1, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khodawandpur P.S. Case No.227 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, as the victim is still traceless, I am not inclined



to enlarge the petitioner nos.2 and 3 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Petitioner nos.2 and 3 are at liberty to surrender before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

shikha/-

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

