

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17954 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- SULTANGANJ District- Bhagalpur

1. JAY JAY RAM SAH @ JAY RAM SAH @ JAY JAY SAH Son of Puran Sah Resident of Village- Adarsh Nagar, Gangapur, P.S.- Sultanganj, District- Bhagalpur
2. NANKI DEVI @ NANHKI DEVI Wife of Jay Ram Sah @ Jay Jay Sah Resident of Village- Adarsh Nagar, Gangapur, P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard the parties.

The petitioners are apprehending arrest in connection with Sultanganj P.S. Case No 226 of 2022 for the offence under Sections 363 and 365 of the I.P.C. lodged on 08.07.2022 by the informant Shambhu Yadav.

The prosecution story, in brief, is that on 2.6.2022, daughter of the informant namely, Ruchi Kumari went for nature's call outside her house. As she did not return home the informant tried to search out but could not get any clue. After some days, the informant came to know that his daughter has been abducted by accused persons including the petitioners and when he came at the house of Sah Ji, he was held by the



neighbours but they are missing from their house then the informant got believe that all three accused persons have abducted the daughter of the informant. Accordingly, the F.I.R.

It has been contended by learned counsel for the petitioner that the F.I.R. was lodged a month later and that too mainly against Bipin Sah and only because these two petitioners are parents , they have also been implicated.

Learned APP, on the other hand, submit that their complicity in the abduction of victim girl cannot be overlooked.

Considering the fact that main allegation is against Bipin Sah, there is inordinate delay in lodging of the F.I.R. in a case of abduction of victim girl, they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M, 1st, Bhagalpur, in connection with Sultanganj P.S. Case No 226 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/kiran/-

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