

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14195 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- RAJNAGAR District- Madhubani

1. Sukhal Sahu, S/O Late Chotu Sahu, R/v- Belhwar, P.S.- Rajnagar, District- Madhubani
2. Umesh Sahu @ Umesh Sah, S/O Sukhal Sah R/v- Belhwar, P.S.- Rajnagar, District- Madhubani
3. Mahesh Sahu S/O Sukhal Sahu, R/v- Belhwar, P.S.- Rajnagar, District- Madhubani
4. Sunita Devi @ Tara Devi, W/O Sukhal Sahu R/v- Belhwar, P.S.- Rajnagar, District- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioners in the present case have moved this Court seeking pre-arrest bail in connection with Rajnagar P.S. Case No. 176 of 2022 registered for the offences under Sections 363, 366A/34 of the Indian Penal Code.

As per the prosecution story, on 20.06.2022, the minor daughter of the informant aged about 17 years went for tuition at 09:00 A.M. in the morning but did not return even till late evening. When the informant started searching his daughter, he came to know that one Shivam Sah along with the petitioners



and other accused have abducted the minor daughter of the informant.

Learned counsel for the petitioners submits that the the FIR has been lodged after 16 days of the elopement of the informant's daughter and that the petitioners are merely relatives of the co-accused Shivam Sahu.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners, however, it is not denied that the petitioners have been made accused only on mere suspicion.

Having regard to the facts and circumstances of the case wherein it is submitted that the FIR has been lodged after 16 days of the elopement of the daughter of the informant with the co-accused Shivam Sahu, these petitioners are said to be the maternal uncle, maternal grandfather and maternal grandmother of said Shivam Sahu and even learned APP contends that these petitioners have been made accused on mere suspicion, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each in connection with Rajnagar P.S. Case No. 176 of 2022 with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Class, Madhubani,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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