

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23167 of 2023

Arising Out of PS. Case No.-207 Year-2017 Thana- RAMGARHWA District- East
Champaran

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1. BHIKHAM SAHANI SON OF ASHDEO SAHANI Resident of Village -
Bela, P.S. - Ramgarhwa, Distt. - East Champaran
 2. ETA WARI DEVI WIFE OF BHIKHAM SAHANI Resident of Village -
Bela, P.S. - Ramgarhwa, Distt. - East Champaran
 3. SHARDA DEVI WIFE OF RAM NARAYAN SAHANI Resident of Village
- Singhasani Tola Nandlali, P.S. - Ramgarhwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 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 365, 366, 504, 506 and 323 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner nos. 1, 2 and 3 are father, mother and sister of Sunita Devi respectively. It is next submitted that mother-in-law of Sunita instituted the present FIR which arises from a complaint alleging that her son Sunil was married to Sunita on 21.04.2017



and thereafter on 23.07.2017, the petitioner no. 3 along with her husband took Sunita to their house on the pretext of taking part in a worship, further when her daughter-in-law did not return a search was made and thereafter she came to know that accused persons have abducted her and Sunita is traceless, it is further alleged that she was abducted with an intention to sell her.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that father and mother would kidnap their own daughter for the purposes of selling. It is further submitted that petitioner no. 1 had instituted Ramgarhwa P.S. Case No. 161 of 2017 against her husband, the present informant along with other persons alleging that his daughter was being tortured for dowry and she was missing. It is further submitted that in retaliation the present false complaint came to be instituted based on which the present FIR was instituted. The learned counsel next submits that petitioners will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case for eliciting the truth.

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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Ramgarhwa P.S. Case No. 207 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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