

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25546 of 2023

Arising Out of PS. Case No.-835 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Shanti Devi @ Anita Devi Wife Of Late Pachchu Paswan Resident Of
Village - Baswariya Pataura, P.S - Motihari, Distt. - East Champaran
 2. Sonu Kumar @ Sonu Paswan Son Of Late Pachchu Paswan Resident Of
Village - Baswariya Pataura, P.S - Motihari, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 365, 341, 323 and 504/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, allegation against the petitioners that they along with other co-accused person kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that during the course of investigation not a single independent witnesses whisper any allegation against the petitioners. He submits that the victim has already returned to his house and living with her husband but it is mentioned in the case



diary that the victim is still traceless. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Motihari Muffasil P.S. Case No.835/2022. Accordingly, his application for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering this fact that the victim girl is living with her husband.

(Anjani Kumar Sharan, J)

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