

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32767 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

1. SHIVJI DAS Son of Late Siya Das Resident of village - Manpur Ratnawali, P.S.- Runnisaidpur, District - Sitamarhi.
2. Sunita Devi @ Sunita Wife of Shivji Das Resident of village - Manpur Ratnawali, P.S.- Runnisaidpur, District - Sitamarhi.
3. Ravindra Das Son of Late Siya Das Resident of village - Manpur Ratnawali, P.S.- Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Ms. Pooja Kumari, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 366A of the Indian Penal Code.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 2 is a woman.
4. The informant alleges that on 31.05.2022, the accused persons including the petitioners enticed her minor



daughter and took her somewhere and thus suspects that she might have been killed.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case being neighbours as there is dispute relating to passage between them. It is further submitted that the informant herself produced the victim on 05.06.2022 before the police and thereafter her statement was recorded under Section 164 Cr.P.C. wherein she supported the case of the prosecution, it is further submitted that it absolutely does not stand to reason that how the informant came to know where the victim was and how she was produced. It is also submitted that the date of occurrence is 31.05.2022 and the FIR was instituted on 03.06.2022 i.e. after a delay of three days. It is next submitted that the delay in instituting the F.I.R was utilized by the informant in concealing the victim so that she could be produced when required and accordingly on 05.06.2022 i.e. two days after institution of the FIR, the victim was produced. Learned counsel for the petitioners, at the cost of repetition, submits that petitioners are persons with clean antecedent and will not abscond



rather will co-operate in the investigation and will present themselves as and when required by the Investigating Officer of the case for eliciting the truth.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. 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 Runnisaidpur P.S. Case No. 287 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation or not presenting themselves



as and when called for, the learned Trial Court shall be at liberty to cancel their bail bonds after recording reasons.

9. Let a copy of this order be also sent to the concerned Police Station through the learned Trial Court.

(Satyavrat Verma, J)

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