

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39851 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- KHAGARIA District- Khagaria

1. Santosh Sah, S/o Late Kartik Lal Sah @ Kartik Sah, Resident Of Village- Dhusmuri Bisanpur, P.S. Muffasil Distt. Khagaria
2. Gayatri Devi, W/o Santosh Sah, Resident Of Village- Dhusmuri Bisanpur, P.S. Muffasil Distt. Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the State : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Khagaria (Muffasil) P.S. Case No. 355 of 2022, G.R. No. 1015 of 2022 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code.

3. As per prosecution case, the sister of informant who was married with co-accused Bipin Sah, was traceless and it was suspected that petitioners along with other co-accused persons have abducted her.

4. Learned counsel for the petitioners submits that in Cr. Misc. No. 41637 of 2022 a report was called for from the



Superintendent of Police, Khagaria. The report shows that the victim Rani Kumari has been traced out in Rajasthan and she was produced in Hanuman Garh court for her statement that victim lady has remarried and she was residing in Rajasthan.

5. Learned counsel for the petitioners submits that petitioners are brother-in-law (*devar*) and sister-in-law (*gotani*) of the alleged victim. There is general and omnibus allegation against all the accused persons. There is no specific allegation against these petitioners. He further submits that similarly situated co-accused namely Sundari Devi has already been granted regular bail by a coordinate Bench of this Court vide order dated 04.04.2023 passed in Cr. Misc. No. 41637 of 2022. Petitioners have no criminal antecedent.

6. Learned APP opposes the prayer for anticipatory bail of the petitioners.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 concerned Court where the case is pending in connection with Khagaria (Muffasil) P.S. Case No. 355 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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