

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47714 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- SHEOHAR District- Sheohar

1. ASHOK SAH S/O CHHOTELAL SAH @ LATE CHHOTELAL SAH R/O Village- Ward No. 15, Sheohar, P.S- Sheohar, Distt.- Sheohar.
2. Sanjay Sah @ Sanjay Kumar S/O Chhotelal Sah @ Late Chhotelal Sah. R/O Village- Ward No. 15, Sheohar, P.S- Sheohar, Distt.- Sheohar.
3. Munni Devi W/O Ashok Sah R/O Village- Ward No. 15, Sheohar, P.S- Sheohar, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Sheohar P.S. Case No.379 of 2022 registered for the offences punishable under Sections 366A and 34 of the Indian Penal Code and later on Section 363 IPC was also added. The petitioners have got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioners is that they have involved in kidnapping of the minor daughter of the informant.

4. Learned counsel for the petitioners submits that



thrust of the allegations are against co-accused Raushan Kumar against whom it is alleged that he has kidnapped the daughter of the informant with an intention to marry. Learned counsel submits that petitioners have been falsely implicated because they are relatives of Roushan Kumar.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission that the thrust of the allegations are against co-accused Raushan Kumar against whom it is alleged that he has kidnapped the daughter of the informant with an intention to marry, the submission being that it is a case of love affair between two adolescent age people and so far as these petitioners are concerned, they are not concerned with the same and they have been falsely implicated because they are relatives of Roushan Kumar, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 379 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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