

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46079 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- LALGANJ District- Vaishali

1. Bablu Sah @ Bablu Kumar S/O Deep Kumar Sah @ Deep Narayan Sah Resident Of Village- Keshopur, P.S.- Lalganj, District- Vaishali.
2. Pooja Devi W/O Bablu Sah @ Bablu Kumar Resident Of Village- Keshopur, P.S.- Lalganj, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Lalganj P.S. Case No. 04 of 2023, registered on 01.01.2023, for the alleged offence under Sections 365, 366/34 of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant was forcibly kidnapped by co-accused Vinay Kumar, who fled away with her. The informant alleged that the petitioners and other members of the family of co-accused Vinay Kumar were part of the conspiracy, under which, the daughter of the informant was kidnapped.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The FIR in this case has been registered after much delay since the occurrence took place on 04.12.2022 and the FIR has been registered only on 01.01.2023, which shows deliberation and afterthought on part of the informant. There is no explanation for delay of 27 days. Learned counsel further submits that co-accused Vinay Kumar and the daughter of the informant were in love and they fled away on their own and the petitioners have been made accused in this case merely because they are brother and sister-in-law of the co-accused, respectively. The petitioners have no role in the alleged occurrence.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact about mere suspicion of informant about involvement of the petitioners with the strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S.



Case No. 04 of 2023, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a close relative of the
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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