

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50907 of 2023

Arising Out of PS. Case No.-377 Year-2022 Thana- PARBATT A District- Khagaria

1. RANJU DEVI @ RENU DEVI W/O ANIL YADAV R/O VILLAGE- KATAHARA LAGAR (KATHARA) PS. PARBATT A, DIST. KHAGARIA
2. BIRO YADAV @ BIRBAL @ BIRBAL KUMAR S/O ANIL YADAV R/O VILLAGE- KATAHARA LAGAR (KATHARA) PS. PARBATT A, DIST. KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 08-11-2023
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Parbatta Police Station Case No. 377 of 2022, dated 31.08.2022, disclosing offences punishable under Sections 366/341/323/504/307/34 of the Indian Penal Code.
 3. The prosecution case, as per the First Information Report, is that on 28.08.2022, the petitioner no. 2 has abducted the married daughter of the informant. It has further been alleged that the informant tried to search his daughter and in the process, he arrived at the house of the petitioners on



31.08.2022, co-accused Anil Yadav assaulted the cousin brother of the informant and other family members.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village rivalry and from perusal of the First Information Report, it would be evident that the daughter of the informant was major and a married lady, who was allegedly abducted on 28.08.2022 by the petitioner no. 2; whereas, on 31.08.2022, when the informant, along with other family members, arrived at the house of the petitioners, he found the petitioner no. 2 over there. He next submits that in course of investigation, none of the witnesses have said that the petitioner no. 2 was seen with the victim girl. He next submits that the allegation of assault is not upon the petitioners.
5. On the other hand, learned Counsel for the State, referring to the contents of the case diary, submits that no one has seen the victim girl with the petitioner no. 2 and the witnesses have only reiterated the prosecution version narrated by the informant that the informant's daughter was allured and abducted by the petitioner no. 2.
6. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that the petitioner no. 2 is also a married person, the victim girl is married and major and during the course of investigation, no cogent material has come against the petitioners and there is no allegation of assault against them, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria, in connection with Parbatta Police Station Case No. 377 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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