

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52885 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- KHUSRUPUR District- Patna

1. Amit Kumar @ Amit Singh, S/O Tuntun Singh,
2. Pashupati Singh @ Lakhpati Singh, S/O Dipu Singh,
3. Shakuntala Devi @ Shakunti Devi, W/O Tuntun Singh,
4. Anjali Kumari, W/O Amit Singh

All are Residents of Ward No. 7, Gaushpur, Bishunpur, P.S. Rajapakar,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Khushrupur P.S. Case No. 477 of 2022, registered for the alleged offences under Section 366 (A) of the Indian Penal Code.

3. As per prosecution case, the sister of the informant was taken away by his brother-in-law co-accused Samarjeet Singh on some pretext from his house. Later on, when the sister of the informant did not return, they inquired from the co-accused, who threatened the elder brother-in-law of the



informant. Further, when the informant and his family members went to the house of co-accused, the petitioners misbehaved with them and threatened that they would get the sister of the informant killed.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. The statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has stated that she was not kidnapped by any one and she went with Samarjeet Singh and solemnized marriage with him. The learned counsel further submits that there is no specific allegation of any overt act against the petitioners and they have been dragged in this case as they are relatives of co-accused Samarjeet Singh. From the facts and circumstances, no offence under Section 366 (A) of the Indian Penal Code is made out against the petitioners.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no allegation against the petitioners for kidnapping and concealing the sister of the informant for the



purpose of solemnizing the marriage, 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/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, Patna, in connection with Khusrupur P.S. Case No. 477 of 2022, subject to the conditions mentioned in Section 438 (2) of the Cr.P.C. and the 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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