

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57562 of 2022

Arising Out of PS. Case No.-491 Year-2020 Thana- CHOUTARWA District- West
Champran

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1. PRIYANKA DEVI Wife of Phuldev Yadav Resident of village- Chandraha Rupwalia, P.S- Bhathwariya, District- West Champran
 2. PHULDEV YADAV S/O Suresh Yadav Resident of village- Chandraha Rupwalia, P.S- Bhathwariya, District- West Champran
 3. URMILA DEVI Wife of Parwal Yadav Resident of village- Bhathwariya, P.S- Bhathwariya, District- West Champran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate
For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-01-2023 Heard Mr. Saket Tiwary, learned counsel for the
petitioner and Mr. Suman Kumar Singh, APP for the State.

The petitioners apprehend their arrest in connection with Chautarwa Bathwariya P.S. Case No. 491 of 2020 for the offence registered under Sections 363, 366(A), 341 and 323/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that when they were working in the sugarcane field, his minor daughter disappeared and later it came to notice that Mantu Kumar and his family members had kidnapped her for the purpose of marriage. When they went to Mantu Kumar's house,



they were assured that the girl will come back. As she did not return, the FIR has been lodged.

Learned counsel for the petitioners submit that subsequently the girl returned and she made a statement under Section 164 of the Cr.P.C. stating that she went on her own and married Mantu Kumar. The age in the said statement has been recorded as 19 years.

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioners are family members of Mantu Kumar, they have no criminal antecedent, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge -VII cum Special Judge POCSO, West Champaran, Bettiah in connection with Chautarwa Bathwariya P.S. Case No. 491 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions :-



(i) the petitioners shall cooperate in the investigation
and make himself available to the police as and when required;

(ii) the petitioners shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of their
bail bond by the Trial court itself;

(Rajiv Roy, J)

Jagdish/Neha/-

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