

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58962 of 2022

Arising Out of PS. Case No.-154 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. Archana Devi @ Lavly Wife Of Mithilesh Kumar R/V- Tetariya, P.S- Udwanthnagar, Dist- Bhojpur
2. Mithilesh Kumar @ Mithilesh Kumar Singh Son Of Satyendra Singh R/V- Tetariya, P.S- Udwanthnagar, Dist- Bhojpur
3. Deepak Kumar @ Deepak Kumar Singh Son Of Satyendra Singh R/V- Tetariya, P.S- Udwanthnagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 20-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects, if any, within three weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 366(A) of
the Indian Penal Code whereas Section 302 and 201 of the IPC
have been added subsequently during investigation.

The petitioners are said to have abducted the niece of
the informant. It is further alleged that FIR named accused
persons have killed the victim.

Learned counsel for the petitioners submits that



the petitioners are innocent, not named in the FIR and have been falsely implicated in this case. He submits that there is no evidence against the petitioner no. 1. The name of the present petitioners surfaced in this case on the basis of confessional statement of Shobha Devi who is also not named in the FIR. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioners are also involved in the present case.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner no. 1, let the above named petitioner no. 1 in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Udwantnagar P.S. Case No. 154 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as petitioner nos. 2 and 3 is concerned, there



is specific overt act against them, I am not inclined to enlarge the petitioner no. 2 and 3 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

However, if the petitioner nos. 2 and 3 surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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