

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78679 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- MAHILA P.S. District- Bhagalpur

1. Narayan Prasad Mahto @ Narayan Mahto @ Narayan Pd. Mahto Son Of Govind Mahto Resident Of Village Manikpur, Kwadpur P.S.-SURAYGADHA, Dist Lakhisarai
2. Vibha Kumari Wife Of Narayan Prasad Mahto Resident Of Village Manikpur, Kwadpur P.S.-SURAYGADHA, Dist Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nisha Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366, 511, 506 and 34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, A boy, namely, Robin Kumar @ Sonu wants to marry the informant. The mother of the Robin Kumar sent her son and husband along with two ladies for the purpose of kidnapping but fortunately the informant was on leave. On the very next date Robin Kumar sent five anti-elements to his *sasural* at Sultanganj who threatened to kill her.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He further submits that the occurrence took place on 25.05.2023 but the FIR lodged on 12.06.2023 after a delay of 17 days. He submits that there is no any explanation for the delay in filing of the present FIR which creates serious doubt about prosecution case. He submits that there is no specific overt act against the petitioners. He further submits that petitioner's named transpired in this case just because they are father and mother of Sonu Kumar. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bhagalpur Mahila



P.S. Case No.24 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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