

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72222 of 2022

Arising Out of PS. Case No.-247 Year-2022 Thana- VAISHALI District- Vaishali

1. ROHIT KUMAR S/o Suresh Sah R/o Village- Hajpura, P.S.- Vaishali (Belsar OP), Distt- Vaishali.
2. Suresh Sah S/o Jay Mangal Sah R/o Village- Hajpura, P.S.- Vaishali (Belsar OP), Distt- Vaishali.
3. Meena Devi W/o Suresh Sah R/o Village- Hajpura, P.S.- Vaishali (Belsar OP), Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Anjum Perveen

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in connection with Vaishali Sadar Belsar (O.P.) P.S. Case No.247 of 2022, registered for the offence punishable under Sections 363, 365, 366/34 of the Indian Penal Code.

The prosecution case in short is that the informant came to know that his daughter namely, Amrita Kumari was kidnapped by the petitioner no.1 and while kidnapping he also took valuable ornaments and cash. It is alleged that when the informant went to the house of the petitioners, the petitioner



no.2 and 3 threatened and abused him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.2 and 3 are the father and mother of petitioner no.1. She further submits that the petitioner no.1 and the daughter of the informant are adult and both of them got married on 23.06.2022. It is further submitted that there is a delay of about 13 days in lodging the FIR. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the victim girl has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

Having regard to the facts and circumstances of the case as well as considering the statement of victim recorded u/s 164 of Cr.PC, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

Accordingly, this application is dismissed.



However, if the petitioners surrender before the learned court below within a period of six weeks from today and seek for regular bail, the learned court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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