

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71391 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

1. LAXAMAN MISHRA S/o Late Ramkishun Mishra R/v- Sirisiyan, P.S.- Kuchaikot, District- Gopalganj
2. NANHE MISHRA @ RAVI PRAKASH MISHRA S/o Laxaman Mishra R/v- Sirisiyan, P.S.- Kuchaikot, District- Gopalganj

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Jeetendra Narayan
For the State	:	Mr. Sanjay Kumar Pandey
For the Informant	:	Mr. Surendra Kumar Choubey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 25-07-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 366/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they kidnapped the daughter of the informant.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. It is further submitted that informant and informant's family members are in habit of filing frivolous and concocted



complains before the police/courts and the details of which are given in para-7 of this application. It is further submitted that the wife of the informant, namely, Reena Devi furnished a report to the Police Commissioner, Indore, Madhya Pradesh, wherein it is stated that on 14.12.2021 her daughter, namely, Jagriti Kumari was abducted on 04.01.2022 by Raj Kumar Yadav transporters and others. The said fact also reveals by way of publishing news in Hindi daily wherein the heading of the news is that the mother of the victim girl made complaint at Indore and father made complaint at Kuchaikot and this fact is evident from perusal of Annexure-4 series annexed to this application. It is lastly submitted that the facts which are mentioned herein above itself falsify the allegation made against the petitioners by the informant of the instant case which was lodged on 04.03.2022, in view of ulterior motive to the petitioners. Petitioner no.1 has no criminal antecedent, whereas petitioner no.2 has one criminal antecedent, as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of



the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kuchaikot P.S. Case No.85 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

