

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74170 of 2023**

Arising Out of PS. Case No.-207 Year-2023 Thana- SANDESH District- Bhojpur

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1. SUDARSHAN CHOUDHARY S/o Radha Choudhary R/o village- Repura, P.S.- Sandesh, District- Bhojpur
  2. Samla Devi W/o Sudarshan Choudhary R/o village- Repura, P.S.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jitendra Prasad Singh  
For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      29-11-2023      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sandesh Police Station Case No. 207 of 2023, dated 20.08.2023, disclosing offences punishable under Sections 366-A/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the 16-years old daughter of the informant was missing since 28.04.2023 and the informant was searching the whereabouts of her daughter and during the course of searching, she came to know that her co-villager, Vikash Kumar, has induced and abducted her daughter with the help of the petitioners, who happened to be the father and mother of co-accused Vikash Kumar.



4. Learned Counsel for the petitioners submits that the petitioners have been made accused in this case only because they are the parents of co-accused Vikash Kumar, against whom the allegation is that he induced and abducted the minor daughter of the informant. He further submits that there is inordinate delay in lodging the First Information Report inasmuch as as per the First Information Report, the daughter of the informant was missing since 28.04.2023, but the First Information Report has been lodged on 20.08.2023. Soon after lodging of the First Information Report, the missing girl has come back on her own, along with some other person, on 13.09.2023 and her statement, under Section 164 of the Code of Criminal Procedure, 1973, was recorded, in which she has disclosed that she was taken to Delhi by the petitioners and Vikash Kumar. He further submits that both the parties are agnates and the petitioners have been implicated due to land dispute between the parties. There is no allegation in the statement of the girl recorded under Section 164 of the Code of Criminal Procedure, 1973 that the petitioners misbehaved with her at any point of time, during the period of four months.



5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is inordinate delay in lodging of the First Information Report, both the parties are related, having land dispute and further the petitioners are parents of co-accused Vikash Kumar, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Bhojpur, at Ara, in connection with Sandesh Police Station Case No. 207 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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