

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76227 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- CHAPRA TOWN District- Saran

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1. Chandrawati Devi W/O Nand Kishore Sharma R/O Mohalla- Dahiyawan Jagdamab Road, P.S.- Chapra Town, District-Saran.
 2. Nand Kishore Sharma Son Of R/O Mohalla- Dahiyawan Jagdamab Road, P.S.- Chapra Town, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Chapra Town P.S. Case No. 243 of 2023 dated 16.03.2023 registered for the offences punishable u/ss 363 and 366A read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused Amit Kumar along with the petitioners and his brothers is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage. It is further alleged that when the informant went to the petitioners' house for enquire about, all the accused person including the petitioners started abusing and threatened to kill.



5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are the mother and the father of the co-accused Amit Kumar. There is no specific allegation against the petitioners. There is no allegation of kidnapping against the petitioner as per statement recorded under section 164 of the Cr.P.C. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Saran, Chapra in connection with Chapra Town P.S. Case No. 243 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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