

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73277 of 2022

Arising Out of PS. Case No.-580 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Roop Lal Sahani Son Of Ram Lakhan Sahani R/O Village- Lakhawara
Purwari Tola, P.S.- Lakhawara, District- East Champaran
 2. Sunaina Devi Wife Of Roop Lal Sahani R/O Village- Lakhawara Purwari
Tola, P.S.- Lakhawara, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

Present petition survives with petitioner no.2, namely
Sunaina Devi, as petitioner no.1, namely Roop Lal Sahani, was
arrested during the pendency of present bail petition and as such
his prayer for bail become infructuous in terms of order dated
07.04.2023.

The accused/petitioner is named in the F.I.R. and
apprehended her arrest in connection with Muffasil (Lakhaura)
P.S. Case No.580 of 2022 registered for the offences punishable
under Sections 363 and 366-A/34 of the Indian Penal Code.



The allegation against petitioners is to help her son, namely Niraj Sahani, to kidnap the minor daughter of informant aged about sixteen years for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioners submitted that petitioners are implicated with present case out of previous enmities. It is submitted that present implication is result of failed love affairs, as same was not accepted by the parents of the victim. It is also submitted that victim was with her parents before recording her statement under Section 164 of the Cr.P.C. and chances of tutoring cannot be ruled out. It is also submitted that implication of petitioners are being parents of main co-accused, namely Niraj Sahani. While concluding the argument it is submitted that petitioners are of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication appears being parents of main co-accused Niraj Sahani, accordingly, the petitioner above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran/concerned Court below where the case is pending in connection with Muffassil (Lakhaura) P.S. Case No.580 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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