

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72278 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- MINAPUR District- Muzaffarpur

1. Rani Devi Wife of Ram Autar Rai @ Lal Mohan Rai R/o Village - Belaho Laxmi Tole, P.S.- Minapur, District - Muzaffarpur.
2. Puja Kumari Daughter of Ram Autar Rai @ Lal Mohan Rai R/o Village - Belaho Laxmi Tole, P.S.- Minapur, District - Muzaffarpur.
3. Shashi Rai @ Shashi Kumar Son of Ram Autar Rai @ Lal Mohan Rai R/o Village - Belaho Laxmi Tole, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Ms.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Minapur P.S. Case No. 65 of 2021, registered for the offences punishable under Sections 379, 363 and 366 of the Indian Penal Code.

As per the prosecution case, it is alleged that petitioners forcibly kidnapped the wife of informant. It is further alleged that they also committed theft of ornaments and cash.

It is submitted that petitioners have been falsely implicated in this case and they committed no offence. From persual of FIR it is apparent that at the time of alleged



occurrence, no person was present at the house, hence identification of accused persons is doubtful. The victim lady sworn an affidavit on 21.10.2022 in which she clearly stated that she was never kidnapped. Her family members assaulted her for dowry hence she called co-accused Shashi Rai and went to her *Maik*e with him. Petitioners claim clean antecedents.

Counsel for State opposed the prayer for bail and submitted that the victim lady in her statement under Section 164 Cr.P.C has duly supported the prosecution case.

In view of the statement of victim lady under Section 164 Cr.P.C, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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