

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11830 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- LADANIA District- Madhubani

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1. Indar Devi Wife Of Shatrudhan Sah Resident Of Village- Nondarhi, Police Station -ladaniya District- Madhubani
 2. Shatrughan Sah Son Of Bhola Sah Resident Of Village- Nondarhi, Police Station -ladaniya District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Adv
For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
363(A), 323, 504, 506, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner seeks permission
to withdraw the anticipatory bail application with respect to
petitioner no. 2, namely, Shatrughan Sah.

4. Permission is accorded.

5. The learned counsel for the petitioner submits that
the petitioner no. 1 has clean antecedent and has falsely



implicated in this case by the informant with an allegation that she along with Shatrughan, her husband kidnapped her minor daughter. Learned counsel submits that the victim has returned and her statement was recorded under section 164 of the Cr.P.C wherein she has supported the case of the prosecution but then she has not alleged anything against the petitioner no. 1, it is also submitted that it absolutely does not stand to reason that husband and wife together would have committed the occurrence when the victim after being recovered stated in her statement, recorded under section 164 of the Cr.P.C, that she was violated by Shatrughan and others. It is thus submitted that no wife would become a party in such a crime with her husband.

6. Learned A.P.P opposes the bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs,. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhubani in connection with Ladaniya P.S.Case No. 172 of



2023, subject to the conditions laid down under section 438(2)
of the Cr. P.C.

(Satyavrat Verma, J)

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