

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10192 of 2024

Arising Out of PS. Case No.-467 Year-2023 Thana- MADHEPURA District- Madhepura

1. KANCHAN DEVI WIFE OF SAHDEO MANDAL RESIDENT OF VILLAGE - MADHEPURA WARD NO.6, P.S. AND DISTRICT - MADHEPURA
2. GUDIYA DEVI @ KAJAL WIFE OF MANOJ KAMTI RESIDENT OF VILLAGE - KAMP, P.S. - SOUR BAZAR, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-02-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Madhepura P.S. Case No. 467 of 2023 instituted under Sections 363, 365, 368/34 of the Indian Penal Code lodged on 9.5.2023 by the informant, Md. Parwez Alam.

3. As per the prosecution story, the informant has alleged that his son had gone to the house of Sahdeo Mandal but did not return. As he went to the place, found him and the accused persons told that he will be returning after breakfast. However, as he again failed to return and his mobile was switched off, came to know that he has gone to Maharashtra with one Mukesh Kumar to work in grapes garden. Later, he



was informed that his son is missing. The informant went to Maharashtra alongwith Manoj and Awadhesh but did not found him. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they are family members of Sahdeo Mandal, nothing to do with the alleged incident, are ladies and only because they are related, have been implicated.

5. Learned APP opposes the prayer stating that the informant's son went to the house of Sahdeo Mandal and thereafter, disappeared.

6. Considering the submissions put forward by the parties as also the fact that both are ladies, do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Madhepura P.S. Case No. 467 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Madhepura subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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