

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10651 of 2024

Arising Out of PS. Case No.-228 Year-2023 Thana- TEGHRHA District- Begusarai

1. Rekha Devi Wife of Gopal Sah Resident of Vill.-Gauda-1, Ward No.06, P.S.-Teghra, Distt.-Begusarai
2. Raushan Kumar Son of Jagdish Sah Resident of Vill.-Gauda-1, Ward No.06, P.S.-Teghra, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Teghra P.S. Case No. 228 of 2023 for the offence registered under sections 366(A), 504, 506 and 34 of the Indian Penal Code lodged on 19.07.2023 by the informant, Kundan Sah.

3. As per the prosecution story, the informant alleged that the minor daughter was taken away by Vivek Kumar and Raushan Kumar and when the informant approached their mother, she abused. Accordingly, the FIR.

4. Subsequently, the girl returned and recorded her statement under section 164 of the Cr.P.C. in which she accused



Vivek Kumar and Raushan Kumar of having taken her away to Guwahati and kept in their sister's house for two days.

5. In that background, so far as the anticipatory bail of the petitioner no. 2, Raushan Kumar is concerned, the same is rejected.

6. So far as the petitioner no. 1, Rekha Devi is concerned, though allegation of abuse is there, she is a lady and having no criminal antecedent, this Court is inclined to extend her privilege of anticipatory bail.

7. Let the petitioner no. 1, Rekha Devi in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Teghra P.S. Case No. 228 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner no. 1, Rekha Devi, who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 1, Rekha Devi 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 his bail bond by the Trial court itself;

(iii) the petitioner no. 1, Rekha Devi 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 petitioner no. 1, Rekha Devi shall desist from
committing any criminal offence again failing which the State
shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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