

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12079 of 2024

Arising Out of PS. Case No.-139 Year-2020 Thana- SUPPI District- Sitamarhi

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1. Shila Devi Wife Of Surendra Sah Resident Of Mohalla-Krishna Nagar, Binwa Tola, P.S.-Sitamarhi, District-Sitamarhi.
 2. Sushila Devi @ Surajkala Devi Wife Of Birendra Sah Resident Of Mohalla-Krishna Nagar, Binwa Tola, P.S.-Sitamarhi, District-Sitamarhi.
 3. Birendra Sah Son Of Bilash Sah Resident Of Mohalla-Krishna Nagar, Binwa Tola, P.S.-Sitamarhi, District-Sitamarhi.
 4. Raja Kumar @ Raja Sah Son Of Suresh Sah Resident Of Mohalla-Krishna Nagar, Binwa Tola, P.S.-Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
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 a case registered for the offences punishable under Sections 363/366 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is to kidnap informant's minor daughter on 04.06.2020 at about 6:00 P.M. when she had gone to bring water from the common hand pump.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is compromise between the parties. Petitioners have no criminal



antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the statement of the victim was recorded under Section 164 of Cr.P.C. in which she has supported the prosecution case.

6. Having regard to the facts and circumstances of the case and the fact that petitioners no. 1 and 2 are female, let the above named petitioners no.1 and 2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Suppi P.S. Case No. 139 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that victim is minor, I am not inclined to enlarge petitioners no.3 and 4 on anticipatory bail. The prayer for anticipatory bail of the petitioners no. 3 and 4 is hereby rejected.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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