

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21266 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- MAHNAR District- Vaishali

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1. Ram Kumar Jha S/o Shri Ganesh Jha R/o Sai Home Apartment Patel Nagar, P.S. - Shastri Nagar, Town and Dist. - Patna
 2. Prity Kumari @ Prity Jha @ Prati Kumari @ Prati Jha W/o Ram Kumar Jha R/o Sai Home Apartment Patel Nagar, P.S. - Shastri Nagar, Town and Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366A and 376 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant being brother-in-law and sister of Ravi Jha. It is further submitted that the informant alleges that on 25.05.2022 his daughter became traceless and on search she could not be located thereafter a call was received from Ravi Jha who is a teacher in Vidya Niketan at



Mahnar where his daughter was studying informing that the victim is with him thus alleges that Ravi Jha kidnapped his daughter in order to establish physical relation on allurements of marriage, accordingly, he went to the house of Ravi Jha when he realized that the accused persons including the petitioners were involved in the kidnapping of the victim.

4. Learned counsel for the petitioners submits that the statement of the victim was recorded under Section 164 Cr.P.C. wherein she has not even remotely whispered about the petitioners. It is further submitted that the informant in order to coerce Ravi Jha into submission falsely implicated the petitioners in the instant case. It is next submitted that petitioner no. 1 is a railway employee and petitioner no. 2 is his wife. Learned counsel for the petitioners relying on para 27 of the case diary, at the cost of repetition, submits that the victim in her statement recorded under Section 164 Cr.P.C. has not even remotely suggested about the involvement of the present petitioners.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each 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 Mahnar P.S. Case No. 142 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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