

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24191 of 2024

Arising Out of PS. Case No.-681 Year-2023 Thana- SITAMARHI District- Sitamarhi

1. Meena Devi W/O Shivji Mahto R/O Vill - Rajopatti, Ward No. 30, Bramsthan, P.S. And Distt. - Sitamarhi
2. Priyanka Devi W/O Raju Mahto R/O Vill - Rajopatti, Ward No. 30, Bramsthan, P.S. And Distt. - Sitamarhi
3. Raju Mahto S/O Shivji Mahto R/O Vill - Rajopatti, Ward No. 30, Bramsthan, P.S. And Distt. - Sitamarhi
4. Laxman Kumar S/O Shivji Mahto R/O Vill - Rajopatti, Ward No. 30, Bramsthan, P.S. And Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 366A and 376/34 of the Indian Penal Code and Section 4/8 of the POCSO Act.

3. Petitioners are said to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioners are the mother, Bhabhi



and brothers of the main accused namely, Kamlesh Kumar who in fact eloped with the victim. He submits that occurrence took place on 19.08.2023 but the FIR has been lodged on 23.08.2023 after delay of 4 days without explaining any reasonable cause of delay. He submits that there is specific overt act against the petitioners. He submits that there is specific allegation against co-accused Kamlesh Kumar. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner nos. 1 and 2 are female, let the above named petitioner nos. 1 and 2 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty 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 Sitamarhi (Mehsaul) P.S. Case No. 681 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. So far as petitioner nos. 3 and 4 are concerned, I am not inclined to enlarge the petitioner nos. 3 and 4 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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