

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27665 of 2024

Arising Out of PS. Case No.-529 Year-2023 Thana- PIRO District- Bhojpur

1. Rajesh Gupta S/o Rakesh Gupta R/o vill - Piro, ward no. 12, P.S. - Piro, Distt. - Bhojpur
2. Shanti Devi W/o Rajesh Gupta R/o vill - Piro, ward no. 12, P.S. - Piro, Distt. - Bhojpur
3. Saroja Devi W/o Rakesh Gupta R/o vill - Piro, ward no. 12, P.S. - Piro, Distt. - Bhojpur
4. Deepak Gupta @ Deepak Kumar S/o Rakesh Gupta R/o vill - Piro, ward no. 12, P.S. - Piro, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Malti Kumari, Advocate.

For the Opposite Party/s : Mr.Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-05-2024 Heard Mrs. Malti Kumari, learned counsel appearing on behalf of the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Piro P.S. Case No. 529 of 2023 registered for the offence punishable under Sections 366(A) and 120(B) of the Indian Penal Code.

3. The allegation against the petitioners is of kidnapping the minor daughter of the informant with an intention to get her married with co-accused Ravi Gupta.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are family members of co-accused Ravi Gupta against whom allegation of alleged kidnapping has been made. The victim in her statement recorded under Section 164 Cr.P.C. has stated that she on her own free will left her house due to torture of her step mother and has also informed that co-accused Ravi Gupta is her neighbour and she was in love relationship with him and she being adult has married with him in a temple at Varanasi. Learned counsel, in these background, submitted that the petitioners who are family members of co-accused Ravi Gupta deserve to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the allegation made in the F.I.R., as well as, the fact that the victim has admitted that she is adult and she as per her own desire has married with co-accused Ravi Gupta, the petitioners in any manner cannot be held to involved in the kidnapping of the minor daughter of the informant.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S. Case No. 529 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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