

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24053 of 2024

Arising Out of PS. Case No.-392 Year-2023 Thana- BELHAR District- Banka

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1. BIRMA DEVI WIFE OF SHALIGRAM YADAV RESIDENT OF VILLAGE - MAHKARA, P.S. - BELHAR, DISTRICT - BANKA
 2. RITA KUMARI DAUGHTER OF SHALIGRAM YADAV RESIDENT OF VILLAGE - MAHKARA, P.S. - BELHAR, DISTRICT - BANKA
 3. SANJU DEVI DAUGHTER OF SHALIGRAM YADAV RESIDENT OF VILLAGE - MAHKARA, P.S. - BELHAR, DISTRICT - BANKA
 4. RAMDEO YADAV SON OF LATE YOGENDRA YADAV RESIDENT OF VILLAGE - MAHKARA, P.S. - BELHAR, DISTRICT - BANKA
 5. RAHUL KUMAR SON OF RAMDEV YADAV RESIDENT OF VILLAGE - MAHKARA, P.S. - BELHAR, DISTRICT - BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Pandey, Adv.
For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2024 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 366(A), 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with other co-accused persons abducted the informant's daughter for the purpose of marriage.

4. It is submitted by learned counsel for the petitioners



that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. They have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is specific allegation against co-accused Santosh Jha. It is further submitted that petitioner no.1 is mother, petitioner nos. 2 & 3 are sisters, petitioner no.4 is uncle and petitioner no.5 is cousin of co-accused Santosh Jha and as they are family members of co-accused Santosh Jha, they have been made accused in the present case. They have no role in the alleged occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the victim is still traceless. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, as petitioner nos. 1 to 3 are female, let the above named petitioner nos. 1, 2 & 3, be released on bail, in the event of their 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) each with two



sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Belhar P.S. Case No. 392 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the victim is still traceless, I am not inclined to enlarge the petitioner nos. 4 & 5 on bail. The prayer for bail of the petitioner nos. 4 & 5 is hereby rejected.

8. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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