

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27092 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- JHANJHARPUR District- Madhubani

1. SAVITRI DEVI WIFE OF SAHDEV YADAV RESIDENT OF VILLAGE - MAHINATHPUR, P.O. - RAMPATTI, P.S. - RAJNAGAR, DISTRICT - MADHUBANI
2. SAHDEV YADAV SON OF LATE RAMKISHUN YADAV RESIDENT OF VILLAGE - MAHINATHPUR, P.O. - RAMPATTI, P.S. - RAJNAGAR, DISTRICT - MADHUBANI
3. BAIDYNATH YADAV @ BAIJNATH YADAV SON OF SAHDEV YADAV RESIDENT OF VILLAGE - MAHINATHPUR, P.O. - RAMPATTI, P.S. - RAJNAGAR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shivnandan Bharti, Advocate
For the State	:	Mr. Ahmad Ali, APP
For the Informant	:	Mr. Baleshwar Kamat, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366 and 34 of the Indian Penal Code.

3. As per prosecution case, on 20.06.2023, co-accused Sunil Yadav made a call on mobile phone of the informant and asked about daughter of the informant, namely Rani Kumari, to come to NH-57 Chanaurganj and thereafter, kidnapped her with the help of other co-accused persons, including these petitioners, for the purpose of marriage.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that Petitioner No. 1 is mother, Petitioner No. 2 is father and Petitioner No. 3 is brother of co-accused Sunil Yadav. As a matter of fact, there was love affair between co-accused Sunil Yadav and daughter of the informant and both of them, on their own volition, left the house and no one kidnapped the daughter of the informant. It is further submitted that these petitioners have falsely been implicated in this case merely because they happen to be relatives of co-accused Sunil Yadav. During course of investigation, no material has come to show the involvement of these petitioners in the alleged occurrence. Moreover, co-accused Sunil Yadav, against whom there is specific allegation of kidnapping, is already in custody. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur, Madhubani, in connection with Jhanjharpur P.S. Case No.111 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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