

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30113 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- GOGRI District- Khagaria

1. Samtola Devi Wife of Late Dukhi Sah Resident of Village- Mushkipur,
Ward No. 32, Police Station- Gogari, District- Khagaria
2. Golu Kumar Son of Late Dukhi Sah Resident of Village- Mushkipur, Ward
No. 32, Police Station- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Gogri P.S. Case No. 187 of 2023 dated 05.06.2023
registered for the offence punishable under Sections 366A/ 34
of the Indian Penal Code.

3. The prosecution case, in short, is that on
21.05.2023 at 5.30 am when the informant's daughter went to
Coaching, she did not return. On enquiry, he learnt that she was
kidnapped by the FIR named seven accused persons and when
he asked them about her daughter, all the accused persons
threatened that his daughter has been sold.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. FIR has been lodged against seven named accused persons. The daughter of the informant was recovered on 05.09.2023 by police and she in her statement recorded under Section 164 Cr.P.C has stated that she was on road near her house. Co-accused Chandan Kumar gave ice-Cream to her. Along with co-accused Chandan Kumar three boys were also present. She boarded a Train at Khagaria Railway Station and when she awoke then she found accused Chhotu Sah @ Chandan Kumar, Samtola Devi (petitioner No. 1, mother of co-accused Chandan Kumar), Golu Sah (petitioner No. 2) in the train and they got down from the train in Begusarai. Thereafter, she went to Ludhiana where she performed marriage with Chandan. There are no specific allegations against the petitioners. The petitioners have clean antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Khagaria in Gogri P.S. Case No. 187 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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