

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32040 of 2024

Arising Out of PS. Case No.-616 Year-2023 Thana- MADHUBAN District- East Champaran

1. Pinki Kumari Daughter Of Chunchun Yadav Resident Of Village- Kauriya, Ps- Madhuban, Dist- East Champaran
2. Rinki Kumari Daughter Of Chunchun Yadav Resident Of Village- Kauriya, Ps- Madhuban, Dist- East Champaran
3. Shailesh Devi Wife Of Chunchun Yadav Resident Of Village- Kauriya, Ps- Madhuban, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-05-2024 Heard Ld. counsel for the petitioners and

Ld. APP for the State.

2. The petitioners apprehend their arrest in connection with Madhuban P.S. Case No. 616 of 2023 dated 20.12.2023, registered for the offences punishable under Sections 363, 366, 341, 323, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the allegation levelled against the petitioners and other co-accused persons is of kidnapping the sister of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



this case only on account of suspicion. He further submits that petitioners have no concern at all with the alleged offence and the alleged victim girl has never gone their house. Moreover, the alleged victim girl is major and she may have gone with someone else out of love affairs.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioners have never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioners for anticipatory bail.

8. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioners above named, to be enlarged on bail in the event of their arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate-Ist Class, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 616 of 2023, subject to the conditions as laid down under



Section 438(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioners have any criminal antecedent, Ld. trial court shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioners.

(Jitendra Kumar, J.)

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