

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35984 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Rudal Sah S/o- Nepo Sah Village- Sanha W.No-7, Ps- Sahebpur Kamal Dist- Begusarai
 2. Sachin Kumar S/o- Rudal Sah Village- Sanha W.No-7, Ps- Sahebpur Kamal Dist- Begusarai
 3. Shibu Sah S/o- Late Ramkishun Sah Village- Sanha W.No-7, Ps- Sahebpur Kamal Dist- Begusarai
 4. Lalan Sah Bharosi Sah Village- Kusmahaut Ps- Neema Chandpura Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Sahebpur Kamal P.S. Case No. 140 of 2023 dated 25.05.2023
instituted for the offence punishable under Sections 363,
366(A)/34 of the Indian Penal Code.

3. The prosecution case, in brief by the informant
Kumkum Mahto is that on 19.05.2023 at about 11:00 pm, the
F.I.R. named accused Sunil Kumar kidnapped the informant's
grand daughter aged about 16 years who lived in her house for
study. Earlier also, the said accused misbehaved with the



informant's grand daughter and tried to kidnap her. Prior to this incident, the F.I.R. named accused petitioner Pinki Devi gave mobile to informant's grand daughter to talk with accused Sunil Kumar and accused petitioner Puja Devi was also involved in the said occurrence. When the informant's wife went to ask from accused Pinki Devi for the same then, she started abusing her and lastly she took the said mobile. It has been further alleged that eleven F.I.R. named accused persons including petitioners kidnapped the informant's grand daughter under a conspiracy and the informant has apprehension that his grand daughter would be sold or killed.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 namely, Rudal Sah is the father of the main accused namely, Sunil Kumar and other petitioners are relatives of Sunil Kumar due to which they have falsely been implicated in this case. It is next submitted that during the investigation, the informant himself has disclosed that her maternal grand daughter namely, Manisha Kumari used to take education by staying with her. By going through the FIR, it is quite evident that the informant has confined his allegations only towards Sunil Kumar for enticing



away. It is next stated the victim girl has appeared before the learned A.C.J.M.,- IV, Begusarai and has filed her written statement disclosing therein that she is daughter of Samita Devi, the father of the alleged victim has left her mother and then the mother of the alleged victim has get married with one Manoj Ray leaving her with the informant, the mother of the alleged victim went with said Manoj Ray, but the informant was not caring her, in the meanwhile she has fallen in love with the co-accused namely, Sunil Kumar so without informing, she left her house on 19.05.2023 further she has shown her fear of the police since the police is in collusion with the informant. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sahebpur Kamal P.S. Case No. 140 of 2023, they shall be released on anticipatory 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 C.J.M., Begusarai subject to condition as laid down
under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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