

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37786 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- GANGTA District- Munger

1. Ayush Kumar SON OF PURUSHOTTAM KUMAR @ PAWAN KUMAR
Resident of Village -Milki Bichala Tola, P.S-. Gangta District- Munger
2. PURUSHOTTAM KUMAR @ PAWAN KUMAR SON OF MURLIDHAR
SINGH VILLAGE- BHIMBER, PS- KONCH, DIST- GAYA
3. PRATIBHA DEVI WIFE OF PURUSHOTTAM KUMAR @ PAWAN
KUMAR VILLAGE- BHIMBER, PS- KONCH, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Upadhyay, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners is directed to correct
the cause-title of bail petition in course of the day.

3. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 363, 366(A)/34 of the IPC.

4. Allegation against the petitioners is that they along with
other co-accused persons have kidnapped the niece of the
informant.

5. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent and one co-accused Dimpal Kumari has been granted anticipatory bail by this Court vide order dated 09.02.2024 passed in Cr. Misc. No.4625 of 2024.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, considering that petitioner no.3 is a female and that similarly situated female co-accused has been granted bail, let the above named petitioner no.3, be released on bail, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Gangta P.S. Case No.141/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. However, considering that the victim is still traceless, I am not inclined to enlarge the petitioner nos.1 and 2 on anticipatory bail. The prayer for grant of bail on their behalf is



hereby rejected.

9. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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