

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35335 of 2024

Arising Out of PS. Case No.-453 Year-2023 Thana- MINAPUR District- Muzaffarpur

1. Sunila Devi @ Sonila Devi Wife of Vidyanand Sahni Resident of Village - Dumaria, P.S.- Minapur (Panapur O.P.), District - Muzaffarpur.
2. Raushan Kumar Son of Vidyanand Sahni Resident of Village - Dumaria, P.S.- Minapur (Panapur O.P.), District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366A, 120B and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that petitioners are person with clean antecedent and petitioner no. 1 is a woman and has been falsely implicated in the instant case by the informant for reasons best known to her. It is next submitted that the informant alleges that her daughter, aged about 17 years, on 20-10-2023, after informing her, had gone to a temple for worshipping but did not return



till 05:00 PM, thereafter, a hectic search was made but then the victim was not located, thus alleges that the accused person, including the petitioner, in conspiracy, got the victim kidnapped for the purposes of marriage.

4. The learned counsel for the petitioners next submits that from perusal of the allegation as alleged in the FIR, it would manifest that the entire allegation hinges around suspicion. It is next submitted that the victim, who had reached the age of discretion, as disclosed in the FIR itself, was in love with one Govind Kumar, but both i.e. Govind and the victim belonged to different castes, as such, their relationship was being opposed by the family members of the victim, as such, it appears that the victim eloped with Govind, but then they are traceless. It is also submitted that the petitioners are neither related to Govind nor has any connection with the family of Govind in any manner, but being neighbour of Govind, they have been falsely implicated with general and omnibus allegations. It is next submitted that a specific pleading at Para-9 has been pleaded that petitioners are neighbours of Govind and are in no way is connected with him or his family members.

5. The learned APP for the State opposes the



anticipatory bail application and submits that in the event if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which the learned counsel for the petitioners submits that petitioners will not abscond, rather will cooperate in the investigation.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Minapur (Panapur O.P.) P.S. Case No. 453 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioners, despite giving assurance to this court, are not cooperating in the investigation or are not presenting themselves when required, the learned trial court shall be at liberty to cancel the



bail bonds of the petitioners after recording reason.

8. Let a copy of this order be sent to the concerned PS
through the learned trial court.

(Satyavrat Verma, J)

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