

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37369 of 2024

Arising Out of PS. Case No.-835 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. DEEPAK SINGH @ DEEPAK KUMAR SINGH SON OF LATE RAM CHANDRA SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 2. PRADEEP SINGH @ PRADEEP NARAYAN SINGH SON OF LATE INDRASAN SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 3. RAM DULARI DEVI WIFE OF PRADEEP SINGH @ PRADEEP NARAYAN SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 4. SANJU SINGH WIFE OF RANDHIR KUMAR SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 5. SUNITA DEVI WIFE OF RAVINDRA SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 6. RANDHIR SINGH SON OF LATE BINOD SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 7. AMIT SINGH @ AMIT KUMAR SINGH SON OF LATE BINOD SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR
 8. TINKU LAL @ MANOJ SINGH @ MANOJ KUMAR SINGH SON OF PRADEEP SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VINTI DEVI WIFE OF LATE LALA SINGH RESIDENT OF VILLAGE - BASUDEOPUR, WARD NO. 1, P.S. - KALYANPUR, DISTRICT - SAMASTIPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Sanjay, Advocate.

For the Opposite Party/s : Mr.Ajit Kumar, APP.



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 26-06-2024 Heard Mr. Rana Sanjay, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Complaint Case No. 835 of 2022 registered for the offence punishable under Sections 363A, 364, 365 and 120B/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the accused persons are said to have kidnapped the minor grand son of the complainant.

4. Mr. Rana Sanjay, learned counsel appearing on behalf of the petitioners submitted that present compliant is counter case based on a false accusation against the petitioners due to enmity. An F.I.R. was lodged by petitioner no.4, mother of co-accused Neha Kumari alleging that the grand son of the present complainant had kidnapped her daughter with an intention to marry. He further informed that the grand son of the complainant was released on bail being juvenile and a result of the said case, making false allegation of kidnapping, the petitioners have been made accused. In these background, learned counsel submitted that the petitioners who are members



of the same family deserve to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the genesis of enmity is due to some sort of relationship between the daughter of the petitioner no.4 and minor grand son of the complainant. The F.I.R. was lodged on behalf of the petitioners' side first and as a result of the same, due to enmity, complaint has been filed against the petitioners who are the family members. I don't want to enter into the main cause of enmity which is due to relationship of the daughter of the petitioner no.4 with the grand son of the complainant, however, the allegation having not been substantiated by any evidence, I am of the opinion that the petitioners have made out a case to be released on bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Complaint Case No. 835 of 2022, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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