

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37753 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- PATEPUR District- Vaishali

- 1. Rekha Devi W/O- Rajesh Rai R/O- Village - Repura ,P.S Patepur, Dist - Vaishali
- 2. Sajjan Kumar S/O- Rajesh Rai R/O- Village - Repura ,P.S Patepur, Dist - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 44314 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- PATEPUR District- Vaishali

Pramod Rai @ Pramod Kumar Rai Son of Ramchandra Ray Resident of Village- Repura, P.S- Patepur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37753 of 2024)
For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Asha Devi
(In CRIMINAL MISCELLANEOUS No. 44314 of 2024)
For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The instant application for anticipatory bail has

been filed by the petitioners apprehending their arrest in



connection with Patepur P.S. Case no. 289 of 2023 instituted for the offence under Sections 363, 365/34 of the Indian Penal Code.

The prosecution case in nutshell is that informant's grandson, namely, Gautam Kumar is a teacher in Repura Middle School and on 29.11.2023, while his grandson was teaching students in the school, it is alleged that petitioners along with other co-accused persons have abducted him by bolero vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have got no criminal antecedent. The petitioners (Cr. Misc. No. 37753 of 2024), namely, Rekha Devi and Sajan Kumar are not named in the F.I.R. and their name sprang up during investigation of this case in the statement of the victim, recorded under Section 164 of Cr.P.C. as among the persons who were present at the time and place of marriage. It is further submitted that as far as petitioner



9Cr. Misc. No. 44314 of 2024) is concerned, he has no concern from any side and he is only a villager of the co-accused, namely, Rajesh Rai (father of the girl). He has only participated in the panchayati as a villager. Due to this, he has been dragged in the present case. Moreover, similarly situated co-accused, namely, Dablu Ray @ Ravi Bhushan Prasad has already been granted bail vide order dated 17.05.2024, passed in Cr. Misc. No. 36896 of 2024 by this Court.

In contra, learned A.P.P., appearing for the State vehemently opposed the prayer of the bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Patepur P.S. Case no. 289 of 2023, they will be enlarged on bail on furnishing bail bond of



Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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