

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38817 of 2024

Arising Out of PS. Case No.-620 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. Suresh Rai, Son of Late Lal Bahadur Rai, Resident of Village- Jurabanpur Gopalpur @ Jurawanpur Gopalpur, P.S.-Bidupur, District- Vaishali
2. Mira Devi, W/O Suresh Rai, Resident of Village- Jurabanpur Gopalpur @ Jurawanpur Gopalpur, P.S.-Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambahadur Jha, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioners are apprehending their arrest in connection with Shahpur Patori P.S. Case No. 620 of 2022, registered on 23.12.2022 for the alleged offences under Sections 365, 366, 367 and 368 of the Indian Penal Code.

3. As per prosecution case, co-accused Virendra Kumar Rai kidnapped and confined the wife of the complainant. Petitioners are stated to be the elder brother and sister-in-law of the co-accused Ritesh Rai.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From perusal of the complaint petition it is evident



that no specific allegation has been levelled against the petitioners. No role has been assigned to the petitioners for any wrong doing. Petitioners have made accused being the brother and sister-in-law of the co-accused but the petitioners are separate in mess from the co-accused since long and have no concern with him. Learned counsel further submits that from perusal of complaint/FIR, no offence under Sections 365, 366 and other allied sections of IPC is made out against the petitioners. Petitioners are having clean antecedent.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioners without any substantive material and further considering the clean antecedent of the petitioners coupled with strong possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Samastipur/ court



concerned, in connection with Shahpur Patori P.S. Case No. 620 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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