

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39608 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- TARAIIYA District- Saran

1. Abhay Kumar, Son of Suresh Sahni R/O Vill.- Hasanpur Baniya, P.S.- Taraiya, Dist.- Saran
2. Bindu Kumari, W/O Deepak Kumar R/O Vill.- Hasanpur Baniya, P.S.- Taraiya, Dist.- Saran
3. Suresh Sahni, Son of Raghunah Sahni R/O Vill.- Hasanpur Baniya, P.S.- Taraiya, Dist.- Saran
4. Bachiya Devi, W/O Suresh Sahni R/O Vill.- Hasanpur Baniya, P.S.- Taraiya, Dist.- Saran
5. Deepak Kumar, Son of Suresh Sahni R/O Vill.- Hasanpur Baniya, P.S.- Taraiya, Dist.- Saran

... Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar
For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-08-2024 1. Heard learned counsel for the petitioners and
learned APP for the State

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 366(A) of the Indian Penal Code.

3. The learned counsel for the petitioners submits that by order dated 10.07.2024, the case diary along with the statement of the victim under Section 164 of the Cr.P.C. was called for. It is next submitted that from perusal of the office



report dated 06.08.2024, it would manifest that the same till date has not been received.

4. The Court will not wait endlessly for the case diary and the statement of the victim recorded under Section 164 Cr.P.C. and thus, proceeds to consider the case on merit.

5. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 19.01.2024, his minor daughter was going for coaching when the accused persons including the petitioners kidnapped his minor daughter for the purposes of marriage.

6. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that the date of occurrence is 19.01.2024 and the F.I.R. came to be instituted on 23.01.2024. It is further submitted that informant was aware that his daughter was in relationship with Subham Kumar son of petitioner no.3 and as such, had eloped and that perhaps why the F.I.R. came to be instituted after a delay of four days. It is also submitted that petitioners are brother, bhabhi, father and mother of Subham Kumar and they have been implicated in the instant case only to coerce Subham into submission. It is next submitted that victim



has returned and her statement was recorded under Section 164 Cr.P.C. wherein she has stated that Shubham had kidnapped. It is further submitted that petitioners being related to Subham have been implicated only to coerce Subham into submission.

7. Learned A.P.P. opposes the anticipatory bail application.

8. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Saran at Chapra in connection with Taraiya P. S. Case No.28 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

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