

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40628 of 2024

Arising Out of PS. Case No.-320 Year-2022 Thana- BARSOI District- Katihar

1. Taroni Das @ Tarani Das Son Of Late Bazaru Das
2. Akali Devi Wife Of Taroni Das @ Tarani Das
3. Geeta Kumari @ Rita Kumari Daughter Of Taroni Das @ Tarani Das
4. Nirmal Kumari @ Nirma Kumari Daughter Of Taroni Das @ Tarani Das
All Are Resident Of Village - Sola Badhar, P.S. - Barsoi, District - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-07-2024 1. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, Taroni Das @ Tarani Das and petitioner no.4, Nirmal Kumari @ Nirma Kumari.
2. Permission is accorded.
3. Accordingly, the anticipatory bail application is dismissed as withdrawn as against petitioner no.1 and petitioner no.4.
4. Heard learned counsel for the petitioners as well as learned APP for the State.
5. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under



Sections 341,323,504,506 and 366(A) and 34 of the IPC in connection with Barsoi P.S. Case No.320 of 2022.

6. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and the informant alleges that her minor daughter had gone to attend call of nature at 7.00 PM on 11.11.2022, but did not return, thereafter hectic search was made and informant came to know that her daughter has been kidnapped by Panchanand Das in connivance with the petitioner, thereafter he went to the house of the petitioners where he was abused and ousted.

7. The learned counsel submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the petitioners have been implicated in the instant case being mother and sister of Panchanand Das. It is also submitted that no parent and sister would connive with an intention to kidnap a girl for the purposes of marrying their son and brother. It is also submitted that the victim has come back and her statement has been recorded under Section 164 Cr.P.C. wherein she has supported the case of the prosecution but then the thrust of the allegation is against Panchanand Das, though she has stated that petitioners connived in the kidnapping. It is further submitted that the statement of the victim under Section 164 of the Cr.P.C.



if not verbatim is akin to what has been alleged in the FIR and the statement has been made under parental pressure when Panchanand Das and the victim were in love.

8. The learned APP opposes the anticipatory bail application.

9. 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 anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Katihar in connection with Barsoi P.S. Case No.320 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

