

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41489 of 2024

Arising Out of PS. Case No.-254 Year-2023 Thana- DHORAIYA District- Banka

1. Manisha Devi, W/O Ranjeet Sah @Ranjeet Saw R/O Village Kachrah, P.S. Dhoraiya, Distt-Banka
2. Ranjeet Sah @ Ranjeet Saw, R/O Village Kachrah, P.S. Dhoraiya, Distt-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Pandey

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2024 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 Sections 366, 372 and 120(B) of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that petitioner no.2 came to her house and asked her daughter to accompany him along with his son for some work, but her daughter did not follow. Thereafter, petitioner no.1, who is wife of petitioner no.2, came at about 12.00 in the afternoon and took her daughter and grandson



along with them. It is further alleged that when her daughter grandson did not return she went to inquire from petitioners, but they denied knowing about her daughter and thereafter, it is alleged that son of the informant called on the mobile of his sister when she informed that petitioner no.2 had brought her to a secluded place on a motorcycle and multiple cars were changed while transporting her.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case and the F.I.R. came to be instituted 15 days after the occurrence. It is also submitted that had the daughter of the informant been abducted, in that event, the informant would have instituted the F.I.R. instantly. It is also submitted that the victim has come back and her statement recorded under Section 164 of the Cr.P.C. wherein she has stated that she was sold by the petitioners and thereafter she was raped by Hari Singh. The learned counsel next submits that had the petitioners sold the victim, in that event, she would not have been allowed to come back by the purchasers.

5. Learned A.P.P. submits that the victim has supported the case of the prosecution in her statement recorded under Section 164 of the Cr.P.C. as has come in the impugned



order. Further, the investigation is in its nascent stages, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation as they, being neighbour of the informant, came to be implicated for ulterior reason after 15 days of the occurrence, which cast an aspersion of the case of the prosecution.

6. 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 Chief Judicial Magistrate, Banka in connection with Dhoraiya P. S. Case No.254 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the



investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned police station through the learned trial Court.

(Satyavrat Verma, J)

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