

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46995 of 2024

Arising Out of PS. Case No.-547 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. Akhilesh Kumar Son Of Krishna Prasad Resident of Village- Machhahan, P.S.- Muffasil, Distt.- East Champaran, Motihari
 2. Krishna Prasad Son Of Bachan Prasad @ Shiv Bachan Prasad Resident of Village- Machhahan, P.S.- Muffasil, Distt.- East Champaran, Motihari
 3. Anita Devi W/O- Krishna Prasad Resident of Village- Machhahan, P.S.- Muffasil, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-09-2024 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 Muffasil Motihari P.S. Case No. 547 of 2023, registered on 02.08.2023 for the offences under Sections 363, 366A/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons kidnapped the minor daughter of the informant with intention of solemnizing marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in



this case. The occurrence took place on 29.07.2023 but the FIR has been lodged on 02.08.2023 and the delay of four days remain unexplained which shows deliberation on part of the informant in falsely implicating the petitioners. The victim girl has been recovered and she did not say anything about the petitioners in her statement recorded under Section 164 Cr.P.C. The matter has been compromised between the parties and the petition has been filed before the learned trial court on 21.08.2023. The petitioners are having clean antecedent.

5. Learned APP opposes the submission 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 fact that the victim girl has not named these petitioners for any wrong doing and further considering the possibility of false implication, 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court in connection with Muffasil Motihari



P.S. Case No. 547 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other 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)

DKS/-

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

