

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46724 of 2024

Arising Out of PS. Case No.-422 Year-2021 Thana- TARAIIYA District- Saran

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1. Kamalawati Devi @ Kamlawati Devi WIFE OF RAMDEV SINGH VILLAGE-ARDEVAN, PS- TARAIIYA, DIST- SARAN
 2. RISHU DEVI WIFE OF RAJESH KUMAR SINGH VILLAGE- ARDEVAN, PS- TARAIIYA, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Adv.
For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Taraiya P.S Case No. 422/2021 dated 23.12.2021 registered for the offence punishable u/s 341, 323, 504, 366A/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the informant's sister from his house forcibly.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The other co-accused person has already been granted bail by this court *vide* order dated 20.07.2023 passed in Cr. Misc. No. 43079/2023. As per the medical report of the victim, there is no evidence of sexual intercourse. The victim in her statement



recorded under Section 164 of the Cr.P.C. has not stated the name of the petitioners. Learned counsel has submitted that the petitioner no.1 is mother and the petitioner no. 2 is the wife of the co-accused, Sonu Kumar Singh. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Taraiya P.S. Case No. 422/2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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