

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45386 of 2024

Arising Out of PS. Case No.-559 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

1. Sanjiv Kumar Dubey @ Sanjay Kumar Dubey Son Of Rajendra Dubey Village- Manik Chowk, Ps- Runisaidpur, Dist- Sitamarhi
2. Manju Devi Wife Of Subhash Dubey Village- Manik Chowk, Ps- Runisaidpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Lakhan Mahto S/o- Amiri Mahto, R/o- village- Manik Chowk, P.S.- Runisaidpur, Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar, Advocate
For the State	:	Mr.Anil Kumar Singh No. 1, APP
For O.P. No. 2	:	Mr. Ram Vinay Pd. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners, learned APP for the State and learned counsel appearing on behalf of opposite party no. 2.

2. In the present case, the petitioners are apprehending their arrest in connection with Runnisaidpur P.S. Case No. 559 of 2021, registered on 30.10.2021 for the offences under Sections 363, 366, 367, 376, 370/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners allegedly kidnapped the minor daughter of the complainant-informant



with intention to marrying her somewhere or for selling her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Prior to lodging of the complaint case leading to registration of FIR, the same informant gave a written report to the SHO of Runnisaidpur Police Station wherein he did not name any person for being involved in the kidnapping of his minor daughter. Consequently, it has come to notice that the daughter of the informant eloped with her paramour and solemnized marriage. Subsequently, the informant has filed an application before the court of learned CJM, Sitamarhi stating that there is no involvement of the petitioners in the alleged occurrence. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. However, learned counsel appearing on behalf of complainant-informant submits that the informant has realized his mistake and submitted an application absolving the petitioners from any wrong doing.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioners, 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, Sitamarhi/concerned court in connection with Runnisaidpur P.S. Case No. 559 of 2021, 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)

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