

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47345 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- SAKATPUR District- Darbhanga

1. MAYA DEVI WIFE OF LATE BINDE YADAV @ VINDE YADAV
RESIDENT OF VILLAGE - TARDIH, P.S. - SAKATPUR, DISTRICT -
DARBHANGA
2. PREMA DEVI WIFE OF MANOJ YADAV RESIDENT OF VILLAGE -
TARDIH, P.S. - SAKATPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 09-08-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Sakatpur P.S. Case No. 52 of 2023 instituted under Sections 363, 366(A), 34 of the Indian Penal Code lodged on 16.06.2023 by the informant, Hareram Yadav.

3. As per the prosecution story, the allegation is that when there was a ceremony relating to marriage of elder daughter of the complainant, the victim girl was forcefully taken away by Jitendra Yadav. The allegation against these petitioners is that they had called the victim girl. Further, upon confrontation, the father of Jitendra Yadav assured that the girl would return but as it didn't happen the complaint. It is



unbelievable that in a marriage function, the younger sister disappeared and even then, they delayed in lodging the case.

4. Learned Counsel for the petitioners submit that allegation of taking away the victim girl is on Jitendra Yadav they have no role to play in the matter but only because they belong to the family, have been dragged in.

5. Learned APP for the State opposes the prayer for anticipatory bail stating that allegation is that they called the girl.

6. Taking into account the aforesaid facts as also that the two petitioners are ladies, one is mother of Jitendra Yadav and second is wife of Manoj Yadav who has been extended the privilege of anticipatory bail in Cr. Misc. No. 4023 2024 (on 09.04.2024), they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Sakatpur P.S. Case No. 52 of 2023 to the satisfaction of learned J.M., Darbhanga, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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