

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65613 of 2024**

Arising Out of PS. Case No.-47 Year-2024 Thana- HARSIDHI District- East Champaran

1. Leela Devi, Wife of Yogendra Ram, Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran
2. Yogendra Ram Son of Late Ramdeo Ram Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran
3. Mikki Devi @ Neha Bharti Wife of Shambhu Paswan Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran
4. Soni Devi @ Kumari Soni Wife of Naveen Paswan, Daughter of Yogendra Ram Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran
5. Priyanka Devi @ Kumari Priyanka Wife of Amrendra Kumar, Daughter of Yogendra Ram Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran
6. Alok Raj @ Chhotu Kumar Son of Yogendra Ram Resident of Village - Bariyahdih Ward No.1, P.S. - Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Madhurendra Kumar, Adv.  |
| For the State        | : | Mr. Parmanand Prasad, APP    |
| For the Informant    | : | Mr. Rakesh Kumar No. 1, Adv. |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

3      17-12-2024                      Heard Mr. Madhurendra Kumar, learned counsel for the petitioners, Mr. Parmanand Prasad, learned APP for the State and Mr. Rakesh Kumar No. 1, learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No. 47/2024 dated 02.02.2024 registered for the offences punishable under sections 323, 324, 363, 366 and 504 read with section 34 of the Indian



Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that the so-called victim has been recovered and she was produced by her parents before the police and thereafter, she recorded her statement under section 164 of Cr.P.C. in which she stated that she was taken to Delhi by co-accused Arjun Kumar, son of the petitioner Nos. 1 and 2, where both solemnized marriage in a temple and three months thereafter, she was brought back by the parents (petitioner Nos. 1 and 2) of co-accused Arjun Kumar at Motihari and was kept at their residence, where she was assaulted by the petitioners but except this, there is no allegation against the petitioners and if the prosecution's story narrated by the victim is believed even then the main allegation appears against co-accused Arjun Kumar. It is further submitted that the victim has been examined by the Medical Board and over her body, no external injury was found which falsifies the allegation of assault to her by these petitioners. The FIR was lodged after the delay of 56 days from the date of commission of the alleged occurrence and all the petitioners have been made accused mainly on account of being family members of co-accused Arjun Kumar and all of them have fair and clean antecedent.



4. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioners and submitted that the petitioners were also involved in taking the victim to Delhi and as per the statement of the victim, both the petitioner Nos. 1 and 2 brought back the victim from Delhi, so, they were also involved in the alleged occurrence.

5. Learned counsel appearing for the State has also opposed the bail prayer of the petitioners.

6. Considering the facts and circumstances of this case as well as above submissions advanced by petitioners' counsel and mainly the facts that the so-called victim has been recovered and the main allegation is against co-accused Arjun Kumar and the petitioners are said to be the relatives of said co-accused Arjun Kumar and on the body of the victim, no any injury supporting the allegation of assault was found and all the petitioners have fair and clean antecedent, in my opinion, it is a fit case to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released 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 the Court concerned in connection with Harsidhi P.S. Case No. 47/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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