

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82505 of 2024

Arising Out of PS. Case No.-501 Year-2024 Thana- ARA NAWADA District- Bhojpur

1. Ramji Mishra S/o Madan Gopal Mishra R/o Jhijhiriya Pokhar, Mathiya, Mishra Toli, Jagdishpur, P.S.- Jagdishpur, District- Bhojpur
2. Tunna Mishra S/o Madan Gopal Mishra R/o Jhijhiriya Pokhar, Mathiya, Mishra Toli, Jagdishpur, P.S.- Jagdishpur, District- Bhojpur
3. Baby Mishra @ Baby Devi W/o Manoj Upadhyay R/o Jhijhiriya Pokhar, Mathiya, Mishra Toli, Jagdishpur, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 137(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the FIR, the allegation against the petitioners is that they are involved in the kidnapping of the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No



such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. It is further submitted that the occurrence took place on 05.02.2024 but the FIR was lodged on 11.07.2024 i.e. after a delay of about five months without giving any plausible explanation regarding the said delay which creates a serious doubt over the genuineness of the prosecution story. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim was recovered from the house of the petitioners.

6. Having regard to the facts and circumstances of the case, since there is delay of five months in lodging of the FIR, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Nawada Ara P.S.



Case No.501 of 2024, subject to the conditions as laid down
under Section 482(2) of the BNSS, 2023.

(Anjani Kumar Sharan, J)

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