

Arising Out of PS. Case No.-220 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. Ful Kumari Devi @ Phool Kumari Devi @ Fulakumari Devi Wife Of Kishun Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
2. Kishun Das @ Kisun Das Son Of Late Jhagru Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
3. Nilam Devi Wife Of Ganesh Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
4. Radha Devi Wife Of Mitun Das @ Mithun Das @ Mithun Kumar Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
5. Jitendra Das @ Jitendra Kumar Son Of Kishun Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
6. Mitun Das @ Mithun Das @ Mithun Kumar Son Of Kishun Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
7. Raju Das @ Raju Kumar Son Of Ganesh Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
8. Nisha Kumari Daughter Of Kishun Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur
9. Pinki Devi @ Pinki Kumari Wife Of Binod Das @ Vinod Das Resident Of Village - Baghra, P.S. - Patory (Mohanpur), District - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sanju Devi Wife Of Pramod Kumar Rajak Resident Of Village - Baghra, P.S.
- Patory, District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection Shahpur Patori P.S. Case No. 220 of 2023, instituted for the offence punishable under Sections 365, 376, 366, 120B of the Indian Penal Code.



3. As per the prosecution case, the informant lodged a complaint against the petitioners to the effect that the daughter of the informant went to Patori market but did not return to home till evening. The informant along with her family members tried to search the daughter but they could not find her.

4. Learned counsel for the petitioners submits that the victim girl eloped with Ashok Das and married him on her own sweet-will on 01.07.2022 and are living together. It is submitted that the petitioners are neighbour of the same locality. It is submitted that the petitioners have no role to kidnap the victim girl. It is also submitted that the date of occurrence occurred on 01.07.2022 and the present case has been lodged on 21.02.2023 which was forwarded to concerned police station. Thereafter, the F.I.R. was registered on 24.03.2023. Learned counsel for the petitioners further submitted that the petitioner No.1 had earlier lodged a case against the husband of the informant and other family members, due to which, the petitioners have been made accused in this case. It is submitted that the daughter of the informant is a major girl and she has solemnized marriage with Ashok Das. It is also submitted that the petitioners have no concern with Ashok Das. It is submitted petitioner No.4 and 6 has one case against them. It is also



submitted that petitioner No.1, 2, 3, 5, 7, 8 and 9 have no criminal antecedent.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submitted that till date, the daughter of the informant could not be traced or produced. The petitioners were instrumental in kidnapping her daughter.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Shahpur Patori P.S. Case No. 220 of 2023 they shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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