

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5114 of 2025

Arising Out of PS. Case No.-690 Year-2024 Thana- MAHUA District- Vaishali

1. Chandan Sah @ Chandan Kumar Son of Munshilal Sah Resident of Village - Virsighpur, P.S. - Vidyapati Nagar, Distret - Samastipur
2. Amod Sah Son of Visheshwar Sah @ Visheshar Sah Resident of Village - Jalalpur, P.S. - Mahua, District - Vaishali
3. Pintu Sah @ Pintu Kumar Son of Visheshwar Sah @ Visheshwar Sah Resident of Village - Jalalpur, P.S. - Mahua, District - Vaishali
4. Mamta Devi Wife of Amod Sah Resident of Village - Jalalpur, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Mahua P.S. Case No. 690 of 2024 instituted under Sections 140(3), 3(5) of B.N.S. (365/34 of I.P.C.) lodged on 01.08.2024 by the informant, Nilu Devi.

3. As per the prosecution story, the informant alleged that a person was abducted by the petitioners, he talked his son who explained that he is getting experience of work but since he could not talk to him for couple of days, apprehending danger to life, the FIR.



4. Learned counsel for the petitioners submit that they have no criminal antecedent, the family wanted the son to get experience, went to Kanpur and since could not talk to the informant, the FIR under misconception. The fact remains that they are poor family members working as labourers in Kanpur shoe factory, the family of the informant themselves wanted the son to be inducted there went on his own but found themselves implicated. They are ready to face the trial.

5. Learned APP opposes the prayer stating that he was taken away by these petitioners and suspecting foul play, the FIR.

6. Having gone through the facts as also the aforesaid submissions of the parties, an undertaking given that they shall be diligently appearing in trial coupled with the fact that none of them have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail. However, if it is found that any of them is having criminal antecedent, the order with regard to the said accused/petitioners shall become infructuous.

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 Mahua P.S. Case No. 690 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur 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 appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) 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;



(vi) 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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