

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2640 of 2025**

Arising Out of PS. Case No.-170 Year-2024 Thana- KARJA District- Muzaffarpur

1. Munni Devi W/o- Deepak Chaudhary Village- Mahmadpur PS-Baruraj District-Muzaffarpur
2. Deepak Chaudhary S/o- Late Mahendra Chaudhary Village- Mahmadpur PS-Baruraj District-Muzaffarpur
3. Ram Prakash Chaudhary @ Ram Prakash S/o- Late Mahendra Chaudhary Village- Mahmadpur PS-Baruraj District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate  
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

3      09-05-2025                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363 and 366 of Indian Penal Code.

3. The prosecution story in brief is that on 14.05.2024 at about 10:00 AM, his daughter, Mahima Kumari went to Karja for medicine but did not return. It is further alleged that during search, villagers informed that they had witnessed Adil Chaudhary along with two unknown associated, forcibly taking his daughter with her



jewellery in a vehicle near Pandit Masala.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case. It is next submitted that petitioners are persons with clean antecedent. Learned counsel for the petitioners further submits that the allegations are general and omnibus in nature and nothing specific has been attributed against them. It is also submitted that name of the petitioners came to be implicated due to dirty village politics. Learned counsel for the petitioners further submits that petitioners happens to be parents and uncle of Aditya Kumar who is alleged to be responsible for kidnapping of his daughter. Learned counsel further emphasized that victim who is aged about 23 years was recovered and her statement was recorded under Section 161 of Cr.P.C., where the victim had said nothing about the maltreatment meted out upon her but in the statement of victim recorded under Section 183 of BNSS, her statement was totally changed under the pressure of guardian and the victim leveled the allegation of rape upon the petitioners.

5. Learned A.P.P. for the State opposes the prayer



for anticipatory bail of the petitioners.

6. Considering the fact that it has come to light that the son of petitioner no. 3 (Ram Prakash Chaudhary) is married to the informant's daughter Mahima Chaudhary and they have an ongoing dispute between the two families which had earlier resulted in filing of an FIR by petitioner no. 3 (Ram Prakash Chaudhary) on 13.07.2024 at Haridwar. In the present FIR, the incident is alleged to have occurred on 19.05.2024 whereas the FIR has been lodged on 19.07.2024. There is no explanation for the delay and also the fact that petitioners are persons with clean antecedent. It appears to be a case of counterblast by the family members of Mahima Kumari arising out of existing differences between the two families. Under such circumstances, the petitioners are granted the privilege of anticipatory bail to the petitioners.

7. Accordingly, the petitioners in the event of their arrest or surrender within four weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the learned Judicial Magistrate-1st Class,  
Muzaffarpur West in connection with Karja P.S. Case No.  
170 of 2024, subject to the conditions laid down under  
section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,  
2023.

**(Alok Kumar Sinha, J)**

Gaurav Sinha/-

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