

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10626 of 2025

Arising Out of PS. Case No.-399 Year-2023 Thana- PAHARPUR District- East Champaran

1. Raja Sah @ Raja Kumar @ Raja Sha S/O Rajeshwar Sah Resident of Village - Laguniya, P.S. - Paharpur, District - East Champaran
2. Sheo Sah @ Sheoji Kumar S/O Rajeshwar Sah Resident of Village - Laguniya, P.S. - Paharpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard Mr. Madhurendra Kumar, learned counsel for the petitioners and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Paharpur P.S. Case No. 399 of 2023 for the offence under sections 364, 120(B), 34 of the I.P.C. lodged on 25.09.2023 by the informant, Sunita Devi.

3. As per the prosecution story, the informant alleged that she is unfortunate mother of Panna Lal Patel, who is/was an accused in Paharpur P.S. Case No.343 of 2023. Earlier he escaped with the sister of the petitioners, they returned to Bettiah. As she went to Bettiah Railway Station to receive them,



came to know that the accused persons have taken them with assurance to perform marriage. Subsequently, the girl was recovered but the son was traceless. Fearing his killing, the FIR.

4. In this case, a Co-ordinate Bench had called for case diary which is on record and the statement of the girl is there in which she has recorded that she performed marriage with the son of the informant. Later they returned and though the family members assured, Panna Lal Patel was taken away and she has not seen him again. She has alleged that her father and both the brothers were beating him and had threatened that he will be killed. She has full belief that her family members have ensured the killing of Panna Lal Patel.

5. Learned counsel for the petitioners submit that at best the role of the father can be attributed, the two petitioners are brothers, young boy, having no role to play.

6. Learned APP opposes the prayer submitting that a perusal of the statement of the victim clearly show that the family members of the victim girl were not happy with the marriage, after the girl returned, they ensured that the informant's son is killed, the fact remains that the son was last seen with the petitioners/her father and never returned.

7. Considering the allegation that has come against



the petitioners and the submissions of the parties, the own sister of the two petitioners has made allegation against them, in that background, specially when the investigation is on and the statements of these two petitioners are required by the police to come to the actual story behind the alleged missing of the son of the informant, no relief can be granted.

8. The anticipatory bail stands rejected.

(Rajiv Roy, J)

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