

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13004 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

1. Manoj Sada S/O Late Bino Sada Resident of Village- Jalsima, Gwalpara, Ward No.- 01, P.S- Sonbarsha Raj, District- Saharsa, Bihar.
2. Kaili Devi W/O Manoj Sada Resident of Village- Jalsima, Gwalpara, Ward No.- 01, P.S- Sonbarsha Raj, District- Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/O Late Umesh Mukhiya Resident of Village- Jalsima, Ward No.- 02, P.S- Sonbarsha Raj, District- Saharsa, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Kuldeep Kumar, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366A and 34 of the Indian Penal Code.

3. As per prosecution case, informant, namely Rita Devi alleged that on 23.05.2024 at around 1:30 hours, her 17 years old daughter went missing from their home in Shaharsa. Upon enquiry, it was reveled that these petitioners, along with other accused persons named in the F.I.R., allegedly lured and took daughter of informant to Hyderabad to do forced marriage.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, specific accusation of kidnapping is against co-accused Lakhan Sah. Petitioner No. 1 is father and Petitioner No. 2 is mother of co-accused Lakhan Shah and they have been made an accused in this case only because they happen to be parents of co-accused Lakhan Shah. The victim in her statement recorded under Section 164 of the Cr.P.C. has not named these petitioners or alleged anything wrong against them. It is further submitted that the present F.I.R. has been lodged after inordinate delay of 5 days and there is no plausible explanation for the same. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saharsa in connection with Sonbarsha Raj P.S. Case No. 94 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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