

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16508 of 2025

Arising Out of PS. Case No.-199 Year-2011 Thana- MADHUBAN District- East Champaran

1. Gauri Shankar Rai @ Gauri Shankar Yadav Son of Ram Bilash Rai Resident of Village - Chaknasiba, P.S. - Phenhara, District - East Champaran
2. Pappu Rai Son of Punit Rai Resident of Village - Chaknasiba, P.S. - Phenhara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 29-05-2025 In compliance of order dated 19.03.2025,

legible photocopy of the case diary as well as injury report

was called for.

2. From perusal of office notes dated 28.05.2025, it appears that Case Diary, without injury report, has been received. However, in this regard, an information regarding injury report has been received (kept at Flag 'I' ie. para 15 of the Case Diary) which shows that victim was not medically examined.

3. Heard learned counsel for the petitioners and learned APP for the State.



4. The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

5. Allegation against the petitioners and other co-accused persons is that they abducted the minor daughter of informant for the purpose of solemnization of marriage.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case solely on account of their family relationship with co-accused Amitabh Kumar Rai. It is further submitted that the alleged victim is a major and of matured mind, who voluntarily left her parental home and eloped with co-accused Amitabh Kumar Rai, with whom she had love affair. The petitioners have been languishing in judicial custody since 13.12.2024. It is stated in paragraph 3 of the bail petition that the petitioners have no criminal antecedents. Furthermore,



similarly situated co-accused persons, namely, Ranvijay Rai @ Ran Binay Kumar @ Ran Binay Rai and Amitabh Kumar Rai, have already been enlarged on bail by the co-ordinate Bench of this Court vide orders dated 09.05.2025 (passed in Cr. Misc. No. 20650 of 2025) and 26.06.2012 (passed in Cr. Misc. No. 11239 of 2012), respectively. It is submitted that the case of the present petitioners stands on a better footing than that of the aforementioned co-accused.

7. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

8. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners is directed to be enlarged on bail in connection with Madhuban P.S. Case No. 199 of 2011 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each



to the satisfaction of the learned Chief Judicial Magistrate,

Motihari, East Champaran.

(S. B. Pd. Singh, J)

Nirajkrs/-

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