

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18486 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- KUDHNI District- Muzaffarpur

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1. Khushboo Kumari W/o Baiju Kumar R/o vill - Balbhadrapur, P.S.- Kudhani, Distt.- Muzaffarpur
 2. Gita Devi W/o Rajdeo Singh R/o vill - Mujaffara Kamtaul, P.S.- Kudhani, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Kumar, Advocate
For the State : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioners, and learned
Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 137(2) and 96 of B.N.S.

3. As per the prosecution case, the informant has alleged that her minor daughter went to school, however, she did not return. It is further alleged that the informant apprehended that her daughter was kidnapped by unknown persons and a written report was subsequently filed.

4. Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated on



account of personal dispute between the family of the informant and the petitioner no.2. It has further been submitted that the petitioners were not named in the FIR, their names surfaced in the statement of the victim recorded under Section 183 of B.N.S.S. wherein she has disclosed the names of the petitioners with an ill intent to falsely implicate the petitioners. It has further been submitted that the petitioner no.2 and the informant are own agnates and on account of some personal differences, the petitioners have been named and from the statement of the victim girl, it would appear that her kidnapping and her reappearance seems to be improbable. Learned counsel has further submitted that even from the statement of the victim, it would be evident that nothing specific has been alleged against the petitioners against whom it is only stated that they had taken the victim girl along with them and subsequently Priti had taken her on a vehicle. It has lastly been submitted that petitioners have clean antecedent and they are in custody since 17.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioners were found to be involved in the case of kidnapping of the victim, the daughter of the informant.

6. Considering the aforesaid submissions and taking



into account that there is general and vague allegation against the petitioners and also considering the period of custody of the petitioners who are ladies, let the petitioners above named, are directed to be released 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 court below where the case is pending/successor court in connection with Kudhani P.S. Case No. 193 of 2024, subject to the the following conditions:-

(i) One of the bailors of the petitioners shall be her close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail



bonds in terms of the above-mentioned order shall not be
delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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