

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26521 of 2025

Arising Out of PS. Case No.-103 Year-2023 Thana- LAXMIPUR District- Jamui

1. Aalo Devi W/O Devendra Sah @ Devendra Saw R/O Village- Nawkadih, P.S- Laxmipur, Distt.- Jamui.
2. Dolly Kumari @ Doli Kumari D/O Devendra Sah R/O Village- Nawkadih, P.S- Laxmipur, Distt.- Jamui.
3. Pintu Sah S/O Arun Sah R/O Village- Jogia (Najari), P.S- Laxmipur, Distt- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Swati, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-08-2025 Heard Mrs. Swati, learned counsel for the petitioner
and Mr. Anand Kishore Choudhary, learned APP for the State.

2. The petitioners are apprehending arrest in connection with Laxmipur P.S. Case No. 103 of 2023 instituted under Sections 366(a), 504, 506/34 of the Indian Penal Code lodged on 12.03.2023 by the informant, Manisha Devi.

3. As per the prosecution story, the informant alleged that her husband resides outside the State and she lives alongwith her children. On the fateful day, Rajesh Sah forcefully took away her minor daughter under conspiracy with his family members. This led to the FIR.



4. Learned counsel for the petitioners submit that subsequently, the victim girl returned and she made statement under sections 161 and 164 of the Cr.P.C. in which a categorical statement was made that she left the place on her own, went away with Rajesh Sah and solemnized marriage at Shiv Temple, Gidhaur, no one abducted her. Further submission is that in any case, the allegation is against Rajesh Sah of taking away the daughter of the informant, these petitioners are mother, sister and family member of the main accused Rajesh Sah have no criminal antecedent and shall be diligently appearing in trial.

5. Learned APP though opposes the prayer concedes that the girl has made the statement that she left the home at her own.

6. Taking into account the aforesaid facts as also the statement of the victim girl recorded in the order of learned Sessions Judge, these petitioners have no criminal antecedent, out of three, two are ladies, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties



of the like amount each in connection with Laxmipur P.S. Case No. 103 of 2023 to the satisfaction of learned Judicial Magistrate-1st Class, Jamui subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.



8. Before parting, this Court would like to put on record its word of appreciation for Mrs. Swati, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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