

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25243 of 2025

Arising Out of PS. Case No.-421 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Amirka Devi @ Amerika Devi wife of Ram Keshwar Yadav village-
Gyantol, Ward no. 11, Ps- Sahebpur Kamal, Dist- Begusarai
 2. Ramkeshwar Yadav son of Devan yadav @ Devnarayan Yadav village-
Gyantol, Ward no. 11, Ps- Sahebpur Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-05-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection
with Sahebpur Kamal P.S. Case No. 421 of 2024 for the offence
registered under sections 64, 126(2), 115(2), 351(i)(2), 3(5) of
the BNS lodged on 18.012.2024 by the informant Babita
Kumari.

3. As per the prosecution story, the informant alleged
that the co-accused Ram Kumar entered into the informant's
house and raped her. The further allegation against these
petitioners are of threatening the lady of dire consequences. This
led to the FIR.



4. Learned Counsel for the petitioners submit that main role of rape is on their son, they being aged persons, only to implicate, their names have come.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of threatening is against them.

6. Considering the aforesaid facts as also that allegation of rape is against Ram Kumar, the two petitioners are aged, mother and father, have no criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IVth Begusarai in connection with Sahebpur Kamal P.S. Case No. 421 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *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 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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