

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27719 of 2025**

Arising Out of PS. Case No.-381 Year-2024 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Umesh Ram S/o Suresh Ram R/o - Khokhsi Saranpur, Ward No.10, P.S - Gwalpara, District - Madhepura
 2. Usha Devi W/o Umesh Ram R/o - Khokhsi Saranpur, Ward No.10, P.S - Gwalpara, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Sanjay Kumar Singh, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER**

2 07-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Udakishunganj P.S. Case No. 381 of 2024, registered for the offence punishable under Sections 137(2), 96, 352, 351(2), 115(2), 3(5) of B.N.S.

3. The case of the prosecution, in short, as per the informant is that on 29.10.2024 at about 09:00 P.M., while she was sleeping, she noticed that his minor daughter, Meena Kumari (17 years) was not present in her room. During search, she came to know that co-accused Rupesh Kumar Ram along with others had kidnapped her daughter and fled. It is further



alleged that when informant went to apprise the father of the co-accused regarding the kidnapping of her minor daughter, meanwhile, all the accused including the petitioners abused, assaulted and threatened her with dire consequences.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case only on the basis of suspicion. The allegation of kidnapping the minor girl is against co-accused Rupesh Kumar Ram. No specific allegation has been alleged against the petitioners. There is delay of about fifteen days for which no explanation has been given which creates serious doubt on the whole prosecution case. He further submits that the victim girl was recovered by the police when she was standing near Bank Chowk, Udakishunganj.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. The petitioners are stated to be having no criminal antecedent. There is inordinate delay of fifteen days in lodging of the FIR for which no explanation has been given. Further, the allegation of kidnapping is on Rupesh Kumar Ram and not on the petitioners. The only allegation against the petitioners is that they are alleged to have abused and tried to assault the



informant. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., 1, Udakishunganj in connection with Udakishunganj P.S. Case No. 381 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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