

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32072 of 2025

Arising Out of PS. Case No.-489 Year-2024 Thana- JANDAHA District- Vaishali

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1. Anil Das S/O Jailal Das Resident of Village- Jagdishpur Police Station- Jandaha, Mahisaur, Dist.- Vaishali.
 2. Lalita Devi W/O Anil Das Resident of Village- Jagdishpur Police Station- Jandaha, Mahisaur, Dist.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajda Khatoon W/O Md. Afjal Resident of Village- Chand Sarai, Police Station- Mahisaur, Dist.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP
For O.P. No. 2	:	Mr. Aditya Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-08-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Jandaha (Mahisaur) P.S. Case No. 489 of 2024, registered for the offences punishable under Sections 137(2), 96, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report, the prosecution alleged that the daughter of the informant disappeared with ornaments and cash on 08.12.2024. In course of search, informant came to know that it is co-accused/Anish who kidnapped her daughter with intention of some unlawful act. Upon such information, when the informant reached to the



house of co-accused/Anish, both the petitioners abused and assaulted her and threaten her of dire consequences.

4. Learned Advocate for the petitioners submitted that the entire allegation revolves around co-accused/Anish Kumar who is none else but the son of the petitioners and only on account of this reason, the present FIR has been instituted against the petitioners in order to pressurized them. The alleged occurrence said to have taken place on 08.12.2024, but the present FIR came to be instituted on 21.12.2024. The delay has not been explained. During the course of investigation, the statement of the victim was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, wherein she has categorically stated that she voluntarily left her house and solemnized marriage with Anish Kumar after converting her religion. She has not even whisper with regard to the hands of the petitioners nor made any allegation against co-accused/Anish Kumar of forceful conversion of the religion and the marriage. The petitioners are persons of fair antecedent and they undertake that they will fully co-operate in the proceeding of the Court.

5. On the other hand, learned counsel for the State and the opposite party No. 2 vehemently opposed the pre-arrest bail



application and submitted that the petitioners have actively participated in causing the disappearance of the daughter of the informant.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and taking note of the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, coupled with the fact that there is delay in lodging of the FIR, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 489 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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