

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34458 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- GOVINDGANJ District- East
Champaran

-
1. Dinanath Sah S/o Late Asharfi Sah Resident of village - Rampurwa, P.S.- GovindGanj, Distt.- East Champaran
 2. Bidyawati Devi W/o Dinanath Sah Resident of village - Rampurwa, P.S.- GovindGanj, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Govindganj P.S. Case No. 128 of 2024 registered for the offences punishable under Sections 363, 366(A), 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other are said to have kidnapped the informant's daughter.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. He further submits that petitioner no. 1 is father and petitioner no. 2 is mother of co-accused Satyendra



Sah and on the said account, petitioners have falsely been implicated in this case. He further submits that from the perusal of FIR, it appears that occurrence took place on 17.03.2024 and FIR was lodged on 21.03.2024 i.e. after delay of about four days. He further submits that no plausible explanation has been given by the informant regarding the said delay which casts doubt upon the prosecution story. He further submits that petitioners have no role to play in the alleged occurrence. Learned counsel orally submits that no specific averment has been made by the victim against the petitioners in her statement recorded under Section 183 of BNSS. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners. He, however, conceded that the statement of victim recorded under Section 183 of BNSS does not convey any role to petitioners.

6. Considering the facts and circumstances of the case, statement of victim recorded under Section 183 of BNSS clearly reflects that petitioners have no role in the alleged occurrence, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners



above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, East Champaran, Motihari in connection with Govindganj P.S. Case No. 128 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

