

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34699 of 2025

Arising Out of PS. Case No.-435 Year-2024 Thana- TURKAULIYA District- East
Champaran

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1. Babulal Paswan S/o Late Ramchandra Paswan R/o Village- Chainpur, P.S- Turkuliya, District- East Champaran, Motihari
 2. Sobha Devi W/o Babulal Paswan R/o Village- Chainpur, P.S- Turkuliya, District- East Champaran, Motihari
 3. Chiraiya Kumari @ Sundaram Kumari D/o Babulal Paswan R/o Village- Chainpur, P.S- Turkuliya, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Turkauliya P.S. Case no. 435 of 2024 for the offence registered under sections 96, 351(2), 3(5) of the B.N.S. lodged on 17.10.2024 by the informant Ashish Kumar.

3. As per the prosecution story, the informant alleged that her minor sister went missing and it was found that Santosh Kumar Paswan has taken her away and when the informant went to the house of the petitioners, accused persons (including the petitioners) assaulted him which led to the FIR.



4. Learned Counsel for the petitioners has taken the Court to the Sessions Court order to show that the girl subsequently appeared and stated that she went on her own and has also already married with Santosh Kumar Paswan and the age of the girl was assessed by the learned Magistrate to be 19 years. He submits that only to exaggerate the matter, the FIR was lodged.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the minor sister of the informant was taken away.

6. Considering the submissions of the parties as also the observations made by the learned Sessions Judge which found incorporated in the order, none of the petitioners have 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 bond bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned learned A.C.J.M.-VIth, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 435 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)

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