

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41504 of 2025

Arising Out of PS. Case No.-283 Year-2022 Thana- MALSALAMI District- Patna

1. Rina Devi, aged about 37 years, Female, wife of Awadesh Das,
2. Mukesh Kumar @ Golu Kumar, aged about 23 years, son of Awadesh Das,
Both resident of village- Fatehjungpur, Kachchi Dargah, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Malsalami PS Case No.283 of 2022 dated 28.05.2022, instituted
under Sections 363 and 366 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged
date of occurrence the daughter of the informant went to market
at Katra Bazar to purchase clothes, but she did not return.
During the course of search, it came to the knowledge of the
informant that Chandan Kumar had kidnapped the daughter of
the informant with the help of his mother for the purpose of
marriage.



4. Learned counsel for the petitioners submits that petitioner no.1 is the mother of Chandan Kumar and petitioner no.2 is the brother of Chandan Kumar. It is submitted that there was love affairs between Chandan Kumar and the daughter of the informant. It is also submitted that the daughter of the informant is aged about 19 years and she has solemnized marriage with Chandan Kumar. The statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not levelled any specific allegation against the petitioners. It is also submitted that the alleged date of occurrence is 20.05.2022 and the FIR has been lodged on 28.05.2022 and there is no explanation for delay in lodging the FIR. Further submission is that the main accused Chandan Kumar has been granted regular bail by a co-ordinate Bench of this Court by order dated 27.07.2023 passed in Cr. Misc. No.27640 of 2023. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail 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 ACJM, 1st, Patna City, Patna, in Malsalami PS Case No.283 of 2022, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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