

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42425 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- GADHPURA District- Begusarai

Sanjula Devi @ Sanjit Devi Wife of Ganesh Yadav Resident of Village-
Harakhpura ward No.4 P.S.- Garhpura, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Rai S/o Late Atma Rai R/o Village- Harakhpura, P.S.-Garhpura,
Distt.- Begusarai

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42891 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- GADHPURA District- Begusarai

Ganesh Yadav S/O Late Suraj Yadav Resident of Village- Harakhpura Ward
No. 4, P.S.- Garhpura, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Rai S/O- Late Atma Rai R/O vill- Harakhpura PS- Garhpura dist-
Begusarai

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42425 of 2025)

For the Petitioner/s : Mr.Sudish Kumar, Adv.

For the State : Mr.Tarun Prasad Mandal, APP

For the Informant : Mr. Sunil Kumar, Adv.

(In CRIMINAL MISCELLANEOUS No. 42891 of 2025)

For the Petitioner/s : Mr.Sudish Kumar, Adv.

For the State : Mr. Mritunjay Kr. Nirala, APP

For the Informant : Mr. Sunil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-10-2025 Considering the fact that both the matters are arising

out of the same P.S. case and, as such, with the consent the

parties, both the applications are being heard together and



disposed of by this common order.

2. Heard the parties.

3. The petitioners are parents, apprehend their arrest in connection with Garhpura P.S. Case No. 17 of 2025, registered for the offences punishable under Sections 137(2), 126(2), 351(2), 351(3), 352, 302(2), 3(5) of the BNS, 2023.

4. Allegedly the minor daughter of the informant was lured and taken away by the son of the petitioners for some illicit purpose. It is further alleged that the victim girl while leaving the house had also taken valuables, gold and silver article worth Rs.1,25,000/-, which were kept in the house. When the father of the victim enquired the matter and went to the house of the petitioners, he was also beaten and abused.

5. Learned Advocate for the petitioners submitted that the petitioners are none else but the parents of the boy, Pankaj Kumar Yadav against whom it is alleged that he has enticed away with the daughter of the informant. The alleged occurrence took place on 02.03.2025, the FIR has been instituted on 04.03.2025. Moreover, during the course of investigation, co-accused Pankaj Kumar Yadav brought to the Police Station, Garhara but he was allowed to go free by then then SHO and it was directed by the SHO to conduct a raid for



the purpose of search and seizure so that the kidnapped girl may be recovered, but still the boy is traceless. For recovery of the boy, the family members of the petitioners have also filed an application before all the concerned, as has been stated in para-8 of the bail application. During the course of investigation, till date no materials have been collected suggesting the complicity of the petitioners in the crime.

6. On the other hand, learned APPs for the State and informant vehemently opposed the bail application and submitted that for recovery of the girl, a criminal writ has been filed, wherein the State authorities have been directed to investigate the matter properly and recover the girl. However, the victim girl is still traceless. He prays that the prayer for bail of the petitioners be considered after disposal of the criminal writ.

7. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of fact that save and except the petitioners being the parents of co-accused Pankaj Kumar Yadav, there is neither any allegation nor any material has been collected during the course of investigation, coupled with the fact that the petitioners bear fair antecedent and their son is also traceless along with the victim girl, let the



petitioners abovenamed 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, Begusarai in connection with Garhpura P.S. Case No. 17 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik 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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