

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45618 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- TURKI KHARARU District-
Muzaffarpur

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1. Smt. Nisha Devi @ Nisha Kumari W/o- Rajiv Rai Resident of Village-
Chandrahiya PS- Turki, Dist- Muzaffarpur
 2. Sitaram Rai S/o- Dhaneshwar Rai Resident of Village- Chandrahiya PS-
Turki, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Sagar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend arrest in a case registered for
the offences punishable under Sections 366(A), 363, 504, 506,
420, 406, 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, on 20.05.2024 at about
10:30 AM, daughter of the informant went to the house of Kiran
Devi but did not reach there. During search, informant came to
know that all the F.I.R. named accused persons including these
petitioners kidnapped her daughter and when informant went to
complain to the petitioners, she was abused and threatened with
dire consequences.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. F.I.R. has been lodged after inordinate delay of about one month which itself raises doubt over veracity of the prosecution case. Allegation against petitioners is general and omnibus. He further submits that victim is major and she herself left the house and fled away. Petitioners claim clean antecedent.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that during investigation, the victim in her statement, recorded under Section 164 Cr.P.C., she has stated that all the F.I.R. named accused persons took her in Bolero and injected her, due to which she became unconscious and after 3-4 days, she became conscious and found herself in Mumbai where petitioner no. 1 and co-accused Rajiv assaulted her and sprinkled petrol on her.

6. Considering the nature of accusation and statement of the victim recorded under Section 164 Cr.P.C., prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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