

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66399 of 2025

Arising Out of PS. Case No.-568 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Jawahir Rai Son of Late Banarso Rai Residents of Village-Lakshmipur, PS-Mufassil, District-East Champaran, Motihari.
 2. Soni Devi Wife of Maghu Rai @ Agarwal Rai Residents of Village-Lakshmipur, PS-Mufassil, District-East Champaran, Motihari.
 3. Tetri Devi Wife of Jawahir Rai Residents of Village-Lakshmipur, PS-Mufassil, District-East Champaran, Motihari.
 4. Pinki Devi Wife of yadolal Rai Residents of Village-Mahuwawa, PS-Mufassil, 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 : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-09-2025 Learned counsel for the petitioner prays for and is

allowed to withdraw the anticipatory bail application of

petitioner no. 1, Jawahir Roy.

2. The anticipatory bail application stands dismissed
as withdrawn with regard to petitioner no. 1, Jawahir Roy.

3. Heard the parties.

4. The petitioners apprehend their arrest in connection

with Muffasil P.S. Case No. 568 of 2019 for the offence

registered under sections 366(A), 504, 506 and 34 of the Indian

Penal Code lodged on 05.12.2019 by the informant, Naga



Prasad Yadav.

5. As per the prosecution story, the informant alleged that the victim, minor went to the cattle shed but failed to return. Later, they came to know that the petitioner no. 1 has kidnapped. The daughter with the help of Soni Devi, Tetri Devi and Pinki Devi the other accused persons, this led to the FIR.

6. Learned Counsel for the petitioners submit that the girl made statement under Section 164 of the Cr.P.C. in which she has narrated about one Anil who kept her in confinement between 27.11.2019 to 09.04.2020 and when she was being taken to Motihari Station, managed to escape. Learned counsel for the petitioner next submits that a perusal of the learned Sessions Judge order would show that they have no role to play. He further submits that they have no relationship with Anil and if it is found incorrect, the relief if granted be made infructuous.

7. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that after long period, they approached the Court.

8. Considering the submissions of the parties as also the statement of victim girl who has made allegation against Anil, the case of the petitioner is/are they have no relationship with Anil, all three are ladies have undertaken to diligently



appear in trial, in that background, this Court is inclined to grant petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi) the anticipatory bail with conditions.

9. However, it is made clear that if at any point of time, it comes to the knowledge that Anil is family member of these petitioners, the order shall become infructuous.

10. Let the petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi) 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 of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. East Champaran, Motihari in connection with Muffasil P.S. Case No. 568 of 2019 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 petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi), who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi) 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 his bail bond by the Trial court itself;

(iii) the petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi) 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 petitioner no. 2 (Soni Devi), petitioner no. 3 (Tetri Devi), petitioner no. 4 (Pinki Devi) 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)

Raj Ranjan/-

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