

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71698 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- AANDAR District- Siwan

1. Dhiraj Pandey @ Dhiraj Kumar Son of Late Sachidanand Pandey R/O Village- Bhikhpur Bhagwanpur Tola P S-Andar M H Nagar District-Siwan
2. Shail Devi W/o- Umesh Pandey R/O Village- Bhikhpur Bhagwanpur Tola P S-Andar M H Nagar District-Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shruti Singh, Adv. Ms.Kalpana, Adv.
For the informant	:	Mr. Suresh Mishra, Adv.
For the State	:	Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 29-08-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Andar (M.H. Nagar) P.S Case No. 215 of 2023 dated 30.10.2023 registered for the offence punishable u/ss 363 and 366A of the Indian Penal Code.

3. As per prosecution case, when the informant's daughter went to attend her class in Kanhauli Rajkiya Middle School and she did not come to the house then the informant searched her and she came to know that the petitioner no. 1



namely Dhiraj Pandey and the other co-accused persons namely, Ashish Kumar Pandey, Sachidanand Pandey, Umesh Pandey have kidnapped her daughter. When the father-in-law of the informant went for inquiry, the co-accused, Umesh Pandey and his wife, and Sachidanand Pandey started abusing and threatened him to go away otherwise he would be killed. The informant apprehended that the accused persons have kidnapped her daughter for doing illegal work.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the victim has been recovered. There is no specific allegation against the petitioners. The specific allegation of committing rape is against the co-accused, Aashish Kumar which is evident from the confessional statement of the victim recorded u/s 164 of the Cr.P.C mentioned in para 34 of the case diary. Learned counsel has further submitted that the victim has not raised any alarm while she was taken to the Ambala (Haryana). The petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for



anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Siwan in connection with Andar (M.H. Nagar) P.S Case No. 215 of 2023, subject to conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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