

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75657 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- PURNAHYA District- Sheohar

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1. SIKINDAR SAHANI @ SIKANDAR SAHANI S/O LATE JANAK SAHANI R/O VILLAGE - PIPARAH PUNARWASH ,P.S.- PURNAHIYA DIST.- SHEOHAR.
 2. Ful Kumari Devi W/o Sikindar Sahani @ Sikandar Sahani R/O VILLAGE - PIPARAH PUNARWASH ,P.S.- PURNAHIYA DIST.- SHEOHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Purnahiya P. S. Case No.48 of 2024 under Sections 363, 366 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 5 named accused persons including the petitioners against whom the informant has alleged that with a view to marry, all the accused persons have kidnapped the informant's daughter. It is also alleged that before Panchayat, it has been assured by the accused persons that they shall produce his



daughter within 4 days, but it has not done then, the informant has filed the case and due to this reason, delay of 4 days occurred.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners are grand parents of the accused against whom the allegation is that he fled away with the girl.

5. Learned Counsel further submits that from the contents of F.I.R., it becomes crystal clear that the alleged victim is a major and the age of the petitioners' grand son is lesser than the alleged victim.

6. Counsel further submits that on the previous occasion, report from the Superintendent of Police, Sheohar has been called for. He further submits that petitioners are old aged person and this aspect may be taken into consideration.

7. Learned Counsel also submits that petitioners' antecedent are clean.

8. Learned APP for the State opposes the prayer for bail and submits that the alleged girl has been recovered by the police and produced before the Child Welfare Committee, Sheohar.

9. Upon perusal of the records, it transpires to this



Court that the daughter of the informant was major and the petitioners are old aged person aged about 65 and 62 years respectively.

10. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sheohar in connection with Purnahiya P. S. Case No.48 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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