

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71253 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- BARH District- Patna

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1. Samundari Devi W/O Radhe Chauhan R/O Lakshminya Tola, P.S.-
Atnauwan, Dist.- Patna.
 2. Sunita Devi W/O Srikant Kumar R/O Saidpur, P.S.- Atnama, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Bihari Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard Mr. Rakesh Bihari Singh, learned counsel
for the petitioner and Mr. Jitendra Kumar Singh, learned APP
representing the State.

2. The petitioners are apprehending their arrest in connection with Barh P.S. Case No. 16 of 2025 registered for the offence under Sections 140(3) and 96 of the B.N.S., lodged on 08.01.2025 by the informant, Mungiya Devi.

3. As per the prosecution story, the informant alleged that while they were sleeping, the daughter went missing and the allegation is that the petitioner no.1's son, Rajiv Kumar has taken her away. This led to the F.I.R.

4. Learned counsel for the petitioners submit that both are ladies, mother and sister-in-law (Bhabhi) of Rajiv Kumar,



the children were in relationship, eloped, the family has been implicated. Further, he has taken this Court to learned Sessions Judge order to show that the court has observed that earlier too, the girl had fled away and upon return, under section 164 Cr.P.C. recorded that she is major (DOB-04.07.2006).

5. Learned APP opposes the prayer submitting that their role cannot be ignored in the missing of the victim girl.

6. Though allegation is there, it is mainly against Rajiv Kumar of taking away the victim girl, these two petitioners are ladies having no criminal antecedent, one is mother while the other is sister-in-law, they have undertaken to diligently appear in trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, Patna, in connection with Barh P.S. Case No. 16 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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