

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74621 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- FATEHPUR District- Gaya

1. Kaushalliya Devi @ Kaushilya Devi W/O - Baleshwar Yadav R/o vill - Dharhara Kala, P.S. - Fatehpur, Distt. - Gaya
2. Rinki Devi @ Rinki Kumari W/o Vijay Yadav R/o vill - Dharhara Kala, P.S. - Fatehpur, Distt. - Gaya
3. Baleshwar Yadav @ Baleshwar Prasad @ Balesar Prasad S/o Late Bihari Mahto R/o vill - Dharhara Kala, P.S. - Fatehpur, Distt. - Gaya
4. Vijay Yadav @ Vijay Kumar S/o Baleshwar Yadav R/o vill - Dharhara Kala, P.S. - Fatehpur, Distt. - Gaya
5. Ajay Kumar S/o Baleshwar Yadav R/o vill - Dharhara Kala, P.S. - Fatehpur, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanshu Kumari D/O Baleshwar Yadav Dharhara Kala P.S. Fatehpur Dist Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheikh Arkan Ahmad
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-04-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 506, 376 of the Indian Penal Code.

3. The prosecution case, as would disclose in the First Information Report as per the informant aged about 18 years, is that Sanjay Yadav enticed her and took her with him on the motorcycle on 03.07.2023 to Banaras where they stayed for few



days. It has been further alleged that she was taken to Bombay where she resided in the house of the brother-in-law of Sanjay Yadav for about six months and thereafter, she was taken to Delhi where they stayed at the house of uncle of Sanjay Yadav for 15 days. It has been further alleged that Sanjay Yadav brought her back to Gaya and in a rented house and started pressurising her for court marriage. Further allegation is that he finally left her and went back to his father's place and when the informant went to her house, all the accused persons who are petitioners and also the family members of the said Sanjay Yadav assaulted her and ousted her from the house.

4. Learned counsel for the petitioners submits that it would be apparent from a perusal of the First Information Report that the thrust of the allegation is against Sanjay Yadav. These petitioners have only been made accused in the last portion of the FIR on account of the fact that they happened to be the father, mother and brother of the said Sanjay Yadav. It has also been submitted by the learned counsel for the petitioners that the main accused Sanjay Yadav was apprehended and was kept in remand home Gaya since 02.04.2024 which is apparent from paragraph-6 of the petition. It has now been submitted that Sanjay Yadav has already been released on bail.



5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration of the facts of the case and also considering that there is no specific allegation against these petitioners and they have no criminal antecedent, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Fatehpur P.S. Case No. 151 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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