

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74707 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- SANHAULA District- Bhagalpur

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1. Lalita Devi W/o- Omprakash Sah Vill- Sakrama PS- Sanhulla Dist- Bhagalpur
 2. Om Prakash Sah S/o- Late Rohan Sah Vill- Sakrama PS- Sanhulla Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalicharan Sah S/o- Shyam Sah Vill- Sakrama PS- Sanhulla Dist-Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Sanhulla P.S. Case No. 126 of 2024 lodged on 04.08.2024, for the offences punishable under Section 87 of the Bharatiya Nyaya Sanhita, 2023 and old 366A of the I.P.C.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioners



against whom allegation of kidnapping of the informant's daughter is there.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the alleged victim is a major and left the house with her own consent with the son of the petitioners.

5. Counsel submits that the criminal antecedent of the petitioners are clean and both victim and their son evade the family as love affair was going on between them. He further submits that from the record, it transpires that the F.I.R. has been lodged after lapse of 8 days from the alleged date of occurrence. He further submits that case diary has been called for in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that in the case diary, particularly paragraph 40 is the statement of the victim who has categorically stated that she left house herself with a view to marry with the petitioners' son and she has alleged that no wrong has been done with her.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 4 weeks from today, on
furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand)
each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the
satisfaction of A.C.J.M.-XIV, Bhagalpur, in connection with
Sanhulla P.S. Case No. 126 of 2024, subject to the conditions as
laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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