

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78506 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- BIBHUTIPUR District- Samastipur

1. Manoj Kumar Singh @ Manoj Singh Son Of Late Haribllbh Singh Resident Of Village - Bhuswar, P.S. - Bibhutipur, District - Samastipur
2. Abhishek Kumar Son Of Manoj Kumar Singh Resident Of Village - Bhuswar, P.S. - Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 82987 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Abhirekh Kumar S/O Manoj Kumar Singh Resident Of Village - Bhuswar, P.S.- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 78506 of 2024)

For the Petitioner/s : Mr. Mukesh Kumar No. 1, Adv.

For the Opposite Party/s : Ms. Pronoti Singh, APP

(In CRIMINAL MISCELLANEOUS No. 82987 of 2024)

For the Petitioner/s : Mr. Mukesh Kumar No. 1, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 19-05-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. Considering the fact that both the mattes are arising out of the same police station case and, as such, with the consent of the parties, both the applications are being heard together and disposed off by this common order.

3. The petitioners apprehend their arrest in connection



with Bibhutipur P.S. Case No. 191 of 2024, registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

4. Allegedly on 09.06.2024, all the petitioners came there on a motorcycle and by persuading the daughter of the informant, taken away with them. The petitioners have also asked for extortion of Rs. 5 lakhs in order to safe return of her daughter.

5. Learned Advocate for the petitioners taking this Court through the FIR primarily contended that the alleged occurrence took place on 09.06.2024, but surprisingly, the FIR came to be lodged on 25.06.2024. There is no iota of material that any amount has ever been transferred to the petitioners. Moreover, subsequent to the institution of the FIR, the victim returned to her home and thereafter, her statement was recorded under Section 164 Cr.P.C., wherein she has categorically stated that she voluntarily left her home. It is further contended that the victim is a major girl and so far the petitioners are concerned, they have absolutely fair antecedent and they undertake that they will fully co-operate in the proceeding of the Court.

6. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the informant has disclosed the phone numbers, from which she has



received the demand of extortion.

7. Considering the materials available on record, especially the statement of the victim, whose age has been assessed 21 years by the jurisdictional Court, there is no whisper about the complicity of the petitioners in crime coupled with the delay, this Court deems it proper to allow the application, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 191 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions that **(i)** one of the bailors shall be the own/close family members of the petitioners **(ii)** the petitioner shall not indulge in threatening and intimidating the victim and her family, the defiance of the same give liberty to the informant and the victim to file an appropriate petition for cancellation of bail.

(Harish Kumar, J)

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