

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2297 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- JAHANABAD District- Jehanabad

1. Jathahi Devi W/o- Dukhan Das Resident of Mohalla- Chaman Bigha Police Station- Jehanabad Karona OP District-Jehanabad
2. Dukhan Das S/o- Rambaran Das Resident of Mohalla- Chaman Bigha Police Station- Jehanabad Karona OP District-Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajendra DAs @ Sawji Moh- Chaman Bigha Ps- Jehanabad Karona OP Dist- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 23-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Jehanabad (Karona O.P.) P.S. Case No. 385 of 2024 instituted for the offence under Sections 341, 323, 363, 366(A), 504, 506/34 of the Indian Penal Code and Sections 4 & 6 of the POCSO Act. Vide order dated 27-02-2025 passed in this case, petitioner No.1, namely, Jathahi Devi, was enlarged on provisional bail by a Co-ordinate Bench of this Court.

3. The case of the prosecution is that the accused Dudu Das has kidnapped the minor daughter of the informant



with intention to marry her. When the informant went to the house of the accused, then the petitioners abused the informant.

4. It has been submitted on behalf of the petitioner that the petitioner No.2 is in custody since 30-06-2024. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Learned counsel for the petitioners submits that petitioner No.1 is mother, whereas petitioner No.2 is the father of accused, namely, Dudu Das against whom there is allegation of kidnapping. It is next submitted that daughter of the informant is living in the petitioner's house. There is no specific allegation against the petitioners. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no specific allegation against the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Accordingly, provisional bail granted to petitioner



No. 1, namely, Jathahi Devi vide order dated 27-02-2025 by a Co-ordinate Bench of this Court is hereby confirmed.

8.1 Let the petitioner No.2, namely, Dukhan Das be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jehanabad (Karona O.P.) P.S. Case No. 385 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner No.2.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner No.2.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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