

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5100 of 2025

Arising Out of PS. Case No.-8 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Manju Devi Wife of Vijay Rai @ Vimal Rai Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali
2. Sunita Devi Wife of Chandraket Rai Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali
3. Chandraket Rai Son of Late Lakhan Rai Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali
4. Laddu Rai Son of Late Ram Karan Rai Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali
5. Rupa Devi @ Rupa Kumari Wife of Pankaj Kumar Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali
6. Bhola Rai Son of Jamadar Rai Resident of Village- Srirampur, P.S.- Hajipur Sadar, District- Vaishali, At present Resident of Village - Terasiya, Paya No. 10, P.S. - Gangabridge, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha
For the State	:	Mr.Akbar Ali
For the informant	:	Mr. Rabish Kumar
		Mr. Adarsh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-03-2025 1. Learned Counsel for the petitioners informs that the petitioner no. 1, Manju Devi, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 1 is concerned, has become infructuous.
2. Accordingly, this application, so far as petitioner no. 1, is concerned, is dismissed as having become infructuous.



3. This application will now survive only for petitioner nos. 2 to 6.
4. Heard learned Counsel for the petitioner nos. 2 to 6, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
5. This application, for grant of anticipatory bail, arises out of Hajipur Sadar Police Station Case No. 08 of 2024, dated 05.01.2024, disclosing offences punishable under Sections 363/366-A of the Indian Penal Code.
6. The prosecution case, as per the First Information Report, is that the minor daughter of the informant, aged about 13 years, was abducted by co-accused Lalu Kumar, with the help of the petitioners, for the purpose of marriage.
7. Learned Counsel for the petitioner nos. 2 to 6 submits that the petitioners are innocent and they have falsely been implicated in this case merely because they happen to be the family members of the co-accused Lalu Kumar, who allegedly kidnapped the minor daughter of the informant. He further submits that there is no overt act alleged against the petitioners. He further submits that the victim girl is major and she went with co-accused Lalu Kumar @ Rahul Kumar out of her own sweet will and they



performed marriage in temple.

8. On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that in the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973, she has disclosed that while she was going to school, she was abducted/kidnapped by co-accused Lalu Kumar @ Rahul Kumar, who took her to Pune, where co-accused Lalu Kumar @ Rahul Kumar established physical relationship with the victim girl. He further submits that the petitioner no. 5 used to send the victim girl before the co-accused Lalu Kumar @ Rahul Kumar.
9. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioners are the family members of co-accused Lalu Kumar @ Rahul Kumar, there is no overt act alleged against them and in the statement under Section 164 of the Code of Criminal Procedure, 1973, the victim girl has stated that she was kidnapped by co-accused Lalu Kumar @ Rahul Kumar while she was going to school, I am inclined to grant the petitioner nos. 2 to 6 privilege of anticipatory bail.



- 10.This application is, accordingly, allowed.
11. Let the petitioner nos. 2 to 6, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, at Hajipur, in connection with Hajipur Sadar Police Station Case No. 08 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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