

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32165 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -PARSAUNI District- SITAMARHI

1. Shobha Devi W/o Shivdhari Sah, Resident of Village - Parsurampur,
P.S. - Parsauni, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 06-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Parsauni P.S.
Case No. 88 of 2014 registered for the offences punishable under
Sections 363, 365, 370, 420/34 of the Indian Penal Code and
Sections 3(i) (vi) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioner and other FIR named accused
persons took away the two sons of the informant to Guzarat
without his consent and thereafter, the informant was informed
telephonically by his sons that the accused persons sold them with
a contractor who is saying that when his consideration money will
be returned they will be set free and that contractor is smuggler of
children.



Submission is that the petitioner is a lady, both victim boys have been recovered and they in their statement recorded under Section 164 Cr.P.C. only have stated that Jitan and the petitioner took them away and thereafter, Subodh, Jitan and Shivdhari brought them at Guzarat and sold them with contractor namely, Birendra after taking money. Against the petitioner now the victims have not stated that in selling them there is hands of the petitioner, the petitioner is a house wife and is suffering in custody since 15.05.2015 as such she deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering the statements of the victim boys which are annexed with supplementary affidavit and further considering that the petitioner is a lady and chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Parsauni P.S. Case No. 88 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned

and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--