

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33101 of 2014

Arising Out of PS.Case No. -59 Year- 2014 Thana -MATIHANI District- BEGUSARAI

1. Bibha Devi Wife of Kanhaiya Rai Resident of Village-Matihani, P.S.-
Matihani, in the district of Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Tapeswar Sharma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

3 09-01-2015 The petitioner is languishing in custody since 22-5-2014

in a case registered under sections 363 and 366A of the Indian

Penal Code.

It is alleged that on 17-5-2014 the petitioner and her
brother Saurav Kumar kidnapped the ten years old informant's
sister's daughter Rajni Kumari. In the statement recorded under
section 164 Cr.P.C. she has stated her age to be eight years and the

Court has also assessed her age to be eight years. It is stated that the petitioner has got the victim married with Saurav Kumar and next day he was allowed to go to her village home.

It is submitted by the learned counsel for the petitioner that the informant lodged the F.I.R. on 20-5-2014 and immediately after the institution of the case the victim returned to her village home.

Statement has been made in paragraph no.3 of the petition that there is no criminal antecedent against the petitioner and no medical examination has been done. This fact has not been controverted by the learned A.P.P. after going through the case diary.

Considering the above facts, let the above named petitioner be released on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Matihani P.S. Case No. 59/2014.

(Dinesh Kumar Singh, J)

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