

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42345 of 2014

Arising Out of PS.Case No. -213 Year- 2014 Thana -KANTI District-
MUZAFFARPUR

Pinki Kumari daughter of Shri Akalu Sah, resident of Village-Sain, Bheriya
tola, Police Station-Kanti, District-Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Rajpati, Advocate

For the Opposite Party : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

2 04-03-2015

Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner apprehends his arrest in connection with Kanti Police
Station Case No. 213 of 2014 registered for the offences punishable under
Sections 363, 366 (A) I.P.C.

Allegedly the petitioner and co-accused Arun Kumar came to
the house of the informant and asked Moni Kumari to take admission in
coaching class at Muzaffarpur. They had brought the daughter of the informant
but she became traceless and it is alleged that both kidnapped the daughter of
the informant.

Submission is that love affairs is going on between Arun Kumar
and the daughter of the informant, the petitioner has not introduced Moni
Kumari rather all the allegations are false. The prosecution story is absurd and
unbelievable. The petitioner is unmarried girl and a student of B.A. (Hon.) of
the B.R. Ambedkar University, Muzaffarpur and she is the sister of Arun

Kumar and she has also been implicated in this case. The statement of the victim girl has been recorded under Section 164 Cr.P.C. wherein it has not been alleged that any illegal act was committed with the victim girl and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

Considering the gender of the petitioner and further that no illegal act has been committed with the victim girl and as such the petitioner in case of her arrest or surrender within two months from the date of production/receipt of copy of this order, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Rupees Ten thousand) only with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Kanti Police Station Case No. 213 of 2014, G.R. No. 1322/2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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