

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9742 of 2015

Arising Out of PS.Case No. -57 Year- 2014 Thana -MAHILA PS District- KATIHAR

- =====
1. Shiromani Devi Wife of Mahendra Mandal
 2. Mahendra Mandal Son of Late Boudhi Mandal
 3. Shila Devi Wife of Jogi Mandal All R/o Village Nababganj, Purabtola,
P.S. Kurshela, District Katihar

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Birendra Kumar

For the Opposite Party : Mr. Indra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 21-05-2015

It appears that vide order dated 13.03.2015 the petitioner Nos. 2 and 3 have been granted bail and with regard to petitioner No. 1 the case diary has been called for.

Petitioner No. 1 is languishing in custody since 22.12.2014 in a case registered for the offences punishable under Sections 363, 366(A), 372, 120B/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter Maltu Kumari used to go to cut grass in the company of the petitioner Nos. 1 and 3, while doing so she was abducted. On recovery of the victim, in 164 Cr.P.C statement she has stated that she was being kidnapped by petitioner No. 1 and co-accused Nathiya Devi and Uma Devi and was handed over to one Rizwan who took her to Saharanpur and Rizwan intended to get the kidney of the victim transplanted to some

needy person on payment of consideration amount.

It is submitted by learned counsel for the petitioner that considering the fact that victim in her 164 Cr.P.C statement has not named petitioner Nos. 2 and 3, they have been granted bail vide order dated 13.03.2015. The petitioner No. 1 is the own sister-in-law of the informant and she has been roped in the present case since petitioner No. 1 was on inimical term with the informant from before.

Considering the fact that the victim in her 164 Cr.P.C statement has named petitioner No. 1, this Court is not inclined to grant bail to the petitioner No. 1 at present. The application with regard to petitioner No. 1 stands rejected. However, the petitioner No. 1 may renew her prayer for bail after completing one year in custody.

(Dinesh Kumar Singh, J)

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