

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.17208 of 2015**

Arising Out of PS.Case No. -303 Year- 2014 Thana -JAKKANPUR District- PATNA

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1. Jyoti Kumari Daughter of Nanaku Resident of Mohalla - Karbigahiya,
Police Station - Jakkanpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Madhurilata (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 20-05-2015

Heard learned counsel for the petitioner as well as

learned APP assisted by learned counsel for the informant.

A minor aged about four years, namely, Palak was kidnapped by the petitioner which was seen by Karan aged about eight years. The victim is still traceless.

It has been submitted on behalf of petitioner that none is an eyewitness to occurrence. Furthermore, Karan has been examined after so many days without any explanation. Therefore, it has been submitted that petitioner's apprehension is based upon no evidence and should not be allowed furthermore. It has further been submitted that petitioner's implication has purposely been made by the prosecution party in the background of suspicion having shown by them in the background of theft of cash by the petitioner as well as having refusal at her end to accede to the

demand made on behalf of prosecution.

On the other hand, learned APP assisted by learned counsel for the informant opposed the prayer for bail and submitted that Palak who is aged about four years is still traceless.

During course of search, when the place of petitioner was approached by the prosecution party including witnesses, she was found absent. Her home happens to be in Punjab province contrary to it, she has disclosed her address to be that of Mohalla-Karbigahiya, PS. Jakkanpur, Distt- Patna in the instant petition without any explanation. It has also been found that Karan was also examined under Section 164 Cr.P.C. wherein specifically pointed out petitioner to be culprit.

For the present, I do not see it a fit case for grant of bail. Prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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