

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19319 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -KRITYANAND NAGAR District- PURNIA

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1. Meena Devi W/o Palatu Chauhan Resident of Village - Kajra Mushahri,
P.S. - K. Nagar, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant. In 164 Cr.P.C. statement the victim got her age recorded as 13 years and the court assessed her age as such where the victim stated that she went to Khokha but on the alleged date of occurrence i.e. 6.1.2014 the victim was threatened by the petitioner and one Paltu for going to Khokha where she stayed there for six days with Raghu Rai but Raghu Rai did not misbehave with her.

It is submitted by the learned counsel for the petitioner

that even accepting the 164 Cr.P.C. statement of the victim no offence under sections 363 or 366A/34 IPC is made out. The FIR has been lodged after three days of the alleged occurrence. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of statement made by the victim under section 164 Cr.P.C., the petitioner being lady and co accused Jaipal Choudhay has been granted bail vide Cr. Misc. No. 31001 of 2014, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with K. Nagar P.S. Case No. 18 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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