

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38751 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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Gita Devi, Wife of Baidyanath Tiwari, R/o Village- Ruphari, P.S.-
Shikarganj, District- East Champaran at Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagnnath Singh

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 28-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending her arrest in
a case registered for the offences punishable under Sections 342,
370 and 366/34 of the Indian Penal Code.

The prosecution case is that the informant
at the age of five got lost while travelling in train with her
mother. Co-accused Bina Wife of Ramjiwan Singh took her to
her house and brought her up. Subsequently Bina sold her to one
Mahesh for Rs.80,000/- then Mahesh got her married with his
son Munna though the marriage was not consummated.
Subsequently the informant escaped from the house of Mahesh
and lodged the present case.

The petitioner is not named in the First Information Report. Her name subsequently sprang up during investigation as she also assisted the co-accused in getting her married with Munna.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against Bina, Mahesh and Munna wherein in 164 Cr.P.C. statement also the informant has not named this petitioner.

Considering the fact that the informant has not named this petitioner in 164 Cr.P.C. statement and petitioner being a lady having no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, East Champaran, Motihari in connection with Mahila P.S. Case No. 21 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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