

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5842 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -SIDHWALIA District- GOPALGANJ

1. Sandhya Devi, Wife of Indu Bhushan Singh, resident of Village-Satjodda, P.S.- Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh-5, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 18-02-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences punishable under Sections 363, 363A and 120B of the I.P.C.

Allegedly, Vikash @ Vishal, aged five years, the son of the informant, became traceless and on enquiry it revealed that co-accused Kanti Devi has taken away the son of the informant and along with her there was one another woman also. Further Kanti Devi confessing her guilt stated that the boy has been kept in the house of Chandrika Prasad at Barauli and his wife has come on that day. Further Kanti Devi stated that she has sold the child for Rs.17,000/-. During investigation the name of the petitioner came in the confessional statement of Kanti Devi.

Submission is of false implication and that the petitioner

is suffering in custody since 5.12.2015 without any legal and cogent material, besides the confessional statement of co-accused Kanti Devi there is nothing against the petitioner. The victim boy was not recovered either from possession of the petitioner or from her house and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. fairly submits that the name of the petitioner has come in the confessional statement of co-accused, which is evident from the impugned order itself.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Sidhwalia P.S. Case No.119 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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