

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17573 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -SISWAN District- SIWAN

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Rita Devi Wife of Birendra Sah Resident of village - Rajanpura, P.S. - M.H.
Nagar, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends her arrest in connection
with Siswan P.S. Case No. 85 of 2015 registered for offences
punishable under Sections 366(A)/34 of the Indian Penal
Code.

As per prosecution case, it is alleged that daughter
of the informant eloped with the son of the petitioner and
when informant and villager pressurized the husband of the
petitioner, he told that the daughter of the informant will
return back soon, but she did not return.

It has been submitted by the counsel for the
petitioner that petitioner is innocent and only on the basis of



the statement of one person, whose name has not been disclosed by the informant, petitioner has been implicated in the said offence. The allegation is upon the son of the petitioner, who has taken away the victim girl. It has been submitted by the learned counsel for the petitioner that petitioner has been implicated only on the basis of suspicion, which is imaginary and does not specify the complicity of the petitioner, as such, she is innocent and has committed no offence. Learned counsel for the petitioner further submits that although the date of occurrence is 17.07.2015, but the First Information Report has been lodged on 23.07.2015 after inordinate delay. It has further been submitted that the husband of the petitioner, Birendra Sah has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 3154 of 2016 on 02.02.2016.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of her arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only)

with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siswan P.S. Case No. 85 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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