

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48768 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -BASANTPUR District- SIWAN

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Kalawati Kumari @ Kamlawati Kumari Daughter of Sheoji Yadav Resident
of Village- Khawaspur, P.S. Basantpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. S. Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-12-2016 Heard the counsel for the petitioner and Mr. S.
Dayal, Additional Public Prosecutor for the State.

The petitioner being unmarried girl as has been cited
the accused apprehends her arrest in Basantpur P.S. Case No.163
of 2016 registered under Section 366(A)/34 of the Indian Penal
Code and hence, the prayer for grant of anticipatory bail.

The mother (informant)lodged the case alleging
therein that while her minor daughter had gone to attend the call of
nature, subsequently co-accused Surendra Yadav abducted the girl
with the help of the petitioner including other co-accused, namely,
Munna Yadav and Rakesh Yadav for the purpose of marriage with
the girl. On the following day she returned with co-accused
Surendra Yadav on motor cycle and was apprehended whereafter



she was produced before the learned Magistrate for recording her statement under Section 164 Cr.P.C. in which she has named other accused persons. It is also alleged that she had gone to attend the call of nature where a girl called her but she did not identify her.

It is submitted by the learned counsel for the petitioner that she has been implicated only on suspicion. It was a case of love affairs between the victim girl and co-accused, Surendra Yadav who is the brother of the petitioner.

Considering the above, in the event of arrest or surrender in the court below within four weeks, the petitioner, abovenamed, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan, in Basantpur P.S. Case No.163 of 2016 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear on each and every date fixed in the court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the trial court shall have liberty to



cancel the bail bond of the petitioner and secure his arrest in
accordance with law.

(Kishore Kumar Mandal, J)

AnilKrSinha/-

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