

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38323 of 2015

Arising Out of PS.Case No. -140 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

Sonia Devi @ Saliya Devi, W/o Jagarnath Paswan resident of Village
Laxmipur, P.S. Pirpainty ,Distt Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. B.P. Pandey, Sr. Advocate
Mr. P.K. Sinha, Advocate
For the Informant : Dr. Manoj Kumar, Advocate
Smt. Sweety Sinha, Advocate
For the Opposite Party/s : Mr. M.Haque, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Pirpainty P.S. Case No. 140 of 2015, disclosing offences under
Sections 363 and 366A/34 of the Indian Penal Code. Subsequently
Sections 302 and 120B/34 of the Indian Penal Code has been
added.

According to the case of the prosecution, the
informant's daughter was kidnapped by one Ram Krishna Kumar
Paswan alias Chigar Paswan, son of the petitioner for marriage.



The informant and the petitioner are neighbours. The informant went to the petitioner's house to enquire about the kidnapping of her daughter. Allegedly, the informant admitted that her daughter had been kidnapped by the petitioner's son for marriage. However, an altercation is said to have taken place between the petitioner and the informant. Thereafter, it further transpires that in course of investigation, the dead body of the deceased (kidnapped girl) was found in a well, near High School.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that all family members of the petitioner have been implicated falsely. He contends that all other family members excluding the said Ram Krishna @ Chirag Paswan @ Ram Krishna Kumar Paswan @ Chigar Paswan has been granted regular bail by this Court vide order dated 14.12.2015 passed in Criminal Miscellaneous No 35136 of 2015. He further contends that the petitioner is a lady and there is no chance of her tampering with the evidence or fleeing away from the course of investigation or trial.

Considering the submission as above, this application is allowed.

Let the petitioner, above-named, in the event of her arrest or surrender before the court below within six weeks, be

released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Pirpainty P.S. Case No. 140 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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