

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31959 of 2016

Arising Out of PS.Case No. -105 Year- 2015 Thana -JADIA District- SUPAUL

- =====
1. Radhiya Devi W/o Jagdeo Sah, D/o Late Jagdish Sah, resident of Village-Magarkuppi, Gonaha, P.S.- Tribeniganj, District-Supaul.
2. Pramila Devi, W/o Late Jagdish Sah, resident of Village-Hirapatti, P.S.- Jadiya, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta
For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-10-2016 Heard both sides.

The petitioners apprehend their arrest in Jadiya P.S. Case No. 105/2015, registered for the offences punishable under Sections 366 and 34 of the Indian Penal Code.

The informant alleged Petitioner no. 1 came and took his sister to see fair but his sister did not return. A Panchayati was held in which petitioner no. 2 Pramila Devi, mother of Radhiya Devi assured to get back the victim within four days but the victim did not return.

Learned counsel for the petitioners submits that the victim is a married lady. She went along with Radhiya Devi. The petitioners are next door neighbour of the informant and that is

why this false case has been lodged. The victim returned on 14.11.2015 but her statement was recorded 21.11.2015. The victim did not make any allegation against Petitioners.

From perusal of the statement of the victim it appears that Radhiya Devi took the victim on the pretext to see fair along with her brothers. They offered her sweets. Thereafter, the victim became unconscious. She found herself in Uttar Pradesh after getting consciousness. Accused persons were talking to sell the victim but on protest they left her at Chhatapur.

Considering the facts aforesaid and the fact that the victim did not make any allegation against Pramila Devi, (petitioner no. 2), petitioner no. 2 above named in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Kumar Krishnadeo, Judicial Magistrate 1st Class, Supaul in connection with Jadiya P.S. Case No. 105/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as the case of petitioner no. 1, Radhiya Devi is concerned, the victim made very specific allegation against

petitioner no. 1 that she took the victim on the pretext to see the fair and offered her sweets. She became unconscious and after getting conscious she found herself in Uttar Pradesh. Accused persons were talking to sell her.

Considering the facts aforesaid, I am not inclined to enlarge petitioner no. 1 Radhiya Devi above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--