

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43910 of 2015**

Arising Out of PS.Case No. -158 Year- 2014 Thana -ALOULI District- KHAGARIA

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Usha Devi D/O Gulo Yadav, Resident of Village- Rampur Alouli, Police  
Station- Alouli, District- Khagaria

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Viveka Nand Singh, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3. 04-01-2016 Heard both sides.

The petitioner apprehends her arrest in Alauli P.S. Case  
No. 158/2014, registered for the offences punishable under  
Section 376, 366A, 367 and 34 of the Indian Penal Code.

The informant named the petitioner along with eleven  
accused persons and alleged that Sunil Rajak kidnapped her minor  
daughter and took her to Karnal. The petitioner and others helped  
in kidnapping the victim.

Mr. Viveka Nand Singh learned counsel for the  
petitioner submits that the FIR is filed after eighteen days of the  
occurrence. The victim herself went along with Sunil Rajak as  
both were having love affairs.

It is further submitted that similarly situated seven co-

accused persons namely Ravindra and others have already been granted anticipatory bail vide order passed in Cr. Misc. 55625/2015. The case of the petitioner almost stands on the same footing and the only allegation against the petitioner is that as the victim disclosed that it was the petitioner who instigated the victim to go along with Sunil Rajak. The statement of the victim in this instant case is not believable. The petitioner did not play any role in kidnapping the victim.

Considering the facts aforesaid, the petitioner, 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 the learned Judicial Magistrate Ist Class, Khagaria in connection with Alauli P.S. Case No. 158/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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