

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15303 of 2016

Arising Out of PS.Case No. -235 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Rubi Khatoon wife of Nurullah resident of Village - Nardarwa, P.S. -
Kalyanpur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 18-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Kalyan Pur P.S. Case No. 235 of 2015, disclosing
offences under Sections 365 and 448 of the Indian Penal Code.

The petitioner is a lady. It is a case of the prosecution
that the informant's son aged nearly 23 years was found
missing from his room from 09.08.2015. Under the suspicion
that the informant's son might have been kidnapped, the F.I.R.
came to be registered against unknown. It appears that in course
of investigation, the petitioner's name transpires on the basis
that the victim had illicit relationship with the petitioner.

Learned counsel for the Additional Public Prosecutor, referring to the case diary has not been able to point out any material which could be collected in course of investigation justifying the petitioner's implication in the case.

Considering the above submission, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 9th, Motihari, East Champaran, in connection with Kalyan Pur P.S. Case No. 235 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present her 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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