

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48082 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

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Rekha Devi @ Rekha Masih wife of Kishore Sharma, resident of Mohalla
Tin Pokharia Sundarbagh P.S. Mithanpur, Distt- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 29-01-2016

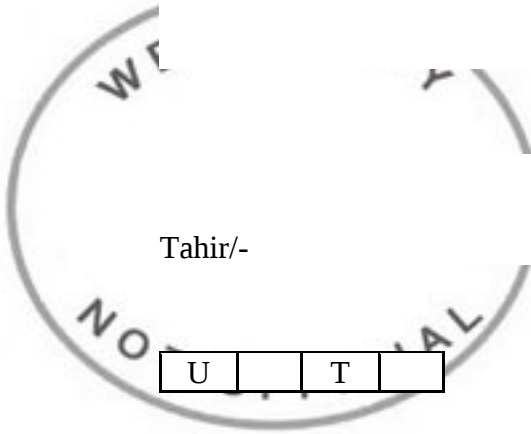
Heard the parties.

The petitioner apprehends her arrest in a criminal prosecution registered under Sections 363 and 365/34 of the Indian Penal Code.

Taking into consideration the fact that the petitioner, besides others, is named in the first information report vide Annexure-1 as an accused with an allegation of her participation in the commission of the crime in question for kidnapping of a minor boy aged about 12 years, and further taking into consideration the fact that the victim boy is still traceless and has not been recovered till date, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, her prayer for grant of anticipatory bail in connection with Mithanpura P.S.Case No. 01 of 2015 pending in the court of learned Sub Divisional Judicial Magistrate (East), Muzaffarpur is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its

own merits without being prejudiced by the rejection of her prayer
for grant of anticipatory bail by the present order.



(Birendra Prasad Verma, J)

Tahir/-