

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47744 of 2017

Arising Out of PS.Case No. -96 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Babita Devi, Wife of Kuldee Sardar @ Kuldeep, resident of House No. 333, Ward No. 12, Soni Colony, Panipat, P.S.- Panipat, District- Panipat (Haryana).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The Petitioner seeks regular bail in connection with Triveniganj P.S. Case No. 96 of 2017 for offences alleged under Sections 366(A), 373 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that the petitioner came to her house along with her son and enticed her minor daughter and took her away to the temple for the purpose of marriage with her son. On the intervention of the villagers and the police, the victim daughter of the informant was recovered and the petitioner along with her son was arrested by the police.

It has been submitted by the learned counsel for the



petitioner that she is innocent and bears no criminal history. He submits that he has been falsely implicated in the aforesaid case only on the basis of suspicion. No such occurrence had taken place as stated by the victim girl in her statement recorded under Section 164 of the Cr.P.C. and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and she is languishing in judicial custody since 24.03.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned A.C.J.M.-I, Supaul, in connection with Triveniganj P.S. Case No. 96 of 2017, subject to the following conditions-

1. One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner

2. Petitioner will appear before the learned court below during trial as and when required and failure to appear on two



consecutive dates without assigning any reason will entail cancellation of his bail bonds.

3. It is also made clear that if the petitioner indulges in any offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds .

(Nilu Agrawal, J)

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