

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43701 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -AKBARNAGAR District- BHAGALPUR

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1. PUSHPA KUMARI @ PUSHPA DEVI, D/o Narendra Prasad Yadav,
Resident of Village- Baruei, P.S.- Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard the parties.

The petitioner seeks regular bail in connection with Akbarnagar P.S.No.19 of 2017, registered for offences punishable under Section 364 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping of her husband and he is still traceless.

Submission of the learned counsel for the petitioner is that she is wife of the kidnapped person and she has been implicated in that case because of the fact that she called the deceased and she had talks with him 12 times and apart from that there is nothing available on the record to show the complicity of the petitioner in this case and the petitioner is in custody for seven months.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail on the ground that it is the petitioner who has called the deceased and thereafter he is traceless.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as the fact that she is a lady and she is also in custody for seven months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bhagalpur in connection with Akbarnagar P.S.Case No.19 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make herself available as and when required by the court and on the event of failure on her part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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