

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29989 of 2017

Arising Out of PS.Case No. -104 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

1. Sunita Kumari, daughter of Dayanand Yadav, resident of village- Isari,
P.S. Ramgarh, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

Mr. Gajendra Nath Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-07-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Informant.

The Petitioner apprehends her arrest in Ramgarh
P.S. Case No.104 of 2017 instituted for the offence under
Section(s) 366-A/34 Indian Penal Code.

As per written report, this petitioner got the
daughter of the informant, Neha Kumari, talked with one boy on
mobile phone. Thereafter, daughter of the informant went after
speaking to her *Bhabhi* Rashmi Kunwar that son of her maternal
uncle, namely, Ram Lakhan has come to take her and he is near
Durga Chowk. Daughter of the informant went to Durga Chowk
with Rashmi Kunwar thereafter she did not return. Rashmi
Kunwar told the informant that the boy had covered his face and
he took his daughter on the motorcycle but she could not identify.



Counsel for the informant has appeared and submitted that the girl has given statement under Section 164 Cr. P. C. and has produced copy of the statement recorded under Section 164 Cr. P.C., wherein, the girl has specifically stated that Sonu Gupta confined her in a room and also established physical relationship with her. She has stated in her statement that the occurrence has taken place on account of this petitioner.

In this manner, there is no allegation of any specific overt act against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Ramgarh P.S. Case No.104 of 2017, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM, Bhabhua, Kaimur, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason



will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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