

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42038 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -SILAW District- NALANDA
(BIHARSHARIFF)

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Mina Devi, Wife of Ashok Sharma, Resident of Village-Bhadari, P.S.
-Silao, District -Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Silao P.S. Case No. 106 of 2017 registered under Sections
366A/34 of the Indian Penal Code.

The allegation in the FIR is that on 22.04.2017 at
10:00 a.m., the informant's minor daughter aged about 16 years
was enticed away by one Raju Kumar, son of the petitioner with
intention to marry her. The informant has suspected involvement
of the petitioner and her husband in commission of the above



offence.

It is stated by Mr. Vikram Deo Singh, learned counsel for the petitioner that the alleged occurrence took place on 22.04.2017, but written statement was submitted before the police after lapse of one and half month on 05.06.2017 and no plausible explanation has been given for the delay caused in institution of the FIR. He has submitted that the son of the petitioner Raju Kumar is also a minor as his date of birth is 12.12.2000 in the mark sheet of the matriculation certificate and the petitioner being her mother had no role in enticement of the daughter of the informant.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within four weeks from today, the petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-IV, Nalanda at Biharsharif in connection with Silao P.S. Case No. 106 of 2017 subject to the



conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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