

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54381 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

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1. Kavita Kumari, Daughter of Parmeshwar Sah, resident of Village-Narwar, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh
: Mr. Kamlesh Kumar Singh
For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 19-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection
with Dinara P.S. Case No. 130 of 2016 registered for the offence
punishable under Sections 366(A)/34 of the Indian Penal Code.

3. Accusation is of kidnapping of sister of the informant for
the purpose of marriage.

4. Learned counsel for the petitioner has submitted that
petitioner is a minor girl and has not committed any offence. In fact,
occurrence took place on 10.06.2016 whereas the First Information
Report has been lodged on 13.06.2016 after expiry of two days. This
petitioner has no role to play in the entire matter. There is no eye
witness to the occurrence to prove the implication of the petitioner in
any offence as alleged in the F.I.R. According to the evidence of Meena



Devi, which at Para-33 of the case diary, one Rahul Kumar, who is said to be a friend of victim, has abducted the victim. Only on the suspicion, this petitioner has been implicated in this case and she is innocent. Moreover, co-accused, namely, Savita Devi and Banty Lal, have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 43159 of 2016, hence, she also deserves the privilege of anticipatory bail.

5. Considering the nature of allegation made against the present petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of J.M.-1st class, Rohtas at Sasaram in connection with Dinara P.S. Case No. 130 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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