

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45635 of 2017

Arising Out of PS.Case No. -536 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Mamta Jha @ Mamta Devi, D/o Late Mahendra Jha, W/o Paras Jha,
Resident of Village- Bhelahi, Ward No.17, P.S.- Supaul, District- Supaul. at
present resident of Village- Chainpur, P.S.- Bangaon, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and Mr. Ashok
Kumar, learned Addl. Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Saharsa
Town P.S. Case No. 536 of 2017 registered for the offences under
Sections-363, 365 of the Indian Penal Code.

The FIR was filed against unknown persons on the
allegation that son of the informant namely, Neeraj Kumar was residing
in a rented house for preparation of competitive examination and also
used to work as tutor. Subsequently, it was found that his mobile No.
was switched off and whereafter, the informant had come at the rented
house and inquired about her son. It transpired that her son has not
come to the house for 12-13 days. It was suspected that the boy had
been kidnapped with ill motive. It was further alleged that two years
earlier, the son of the informant had told her about solemnizing



marriage with one Mamta Jha, the accused petitioner, for which, she had warned her son.

The petitioner appears to have been arrested on suspicion and she is in custody since 17-06-2017.

Learned counsel for the petitioner submits that there is no material whatsoever either in the first information report or otherwise to connect the petitioner with the alleged occurrence. It is further submitted that the petitioner and others have been made accused in the present case merely on the basis of suspicion and some of the accused persons have already been granted bail by the learned trial court itself. It is further submitted that the petitioner is a newly wedded woman and has been falsely implicated in the present case as also has been arrested with a mala fide intention.

Having regard to the facts and circumstances of the present case, I deem it fit and appropriate to enlarge the petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Town P.S. Case No. 536 of 2017.

(Mohit Kumar Shah, J)

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