

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41307 of 2017

Arising Out of PS.Case No. -252 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Shiv Dulari Devi, Wife of Bhagya Narayan Ram, R/o Village- Akhta, P.S.-
Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends her arrest in Bairgania P.S.

Case No. 252 of 2016 instituted for the offence under Sections 363 and
366A of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
victim girl was in love affair with Ramji Ram. She also performed
marriage with him which would appear from marriage certificate
(Annexure-5).

In the written report the informant has stated that his sister
used to talk with Ramji Ram on telephone. There is allegation against
this petitioner that he along with other accused persons has kidnapped
the sister of the informant.

The victim girl after recovery has given her statement
under Section 164 Cr. P.C. wherein she has stated that she was enticed



by this petitioner and co-accused Nand Kishore Sah. They wanted to get the victim girl married with Ramji Ram. As per marriage certificate (Annexure-5), the girl has already married with Ramji Ram.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bairgania P.S. Case No. 252 of 2016, he 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 learned Chief Judicial Magistrate, Sitamarhi, 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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