

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55652 of 2017

Arising Out of PS.Case No. -584 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Nitu Devi, wife of Shiv Shankar Ram, daughter of Mohan Ram resident of
village Sugia Pokhar, P.S. Bhagwanpur, District-Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bhabua P.S.
Case No. 584 of 2017 for offences punishable under Sections
366(A)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
his daughter Priti Kumari aged 16 years had gone to the house of
her friend Kanchan Kumari but did not return. It is alleged that the
said Kanchan Kumari along with Nitu Devi her sister (petitioner)
had taken her to Delhi for the purpose of marriage.

It has been submitted by the learned counsel for the
petitioner that she is innocent and although the date of



occurrence is 16.09.2017, F.I.R. has been lodged after delay of four days and no plausible explanation has been given for such delay. He submits that the petitioner is a lady having a two year old child and bears no criminal history and that victim girl returned just after four days of occurrence on 20.09.2017. He submits that the petitioner is languishing in judicial custody since 21.9.2017 and being a lady a sympathetic consideration be given. He further submits that the petitioner has filed a certified copy of the statement of the victim girl under Section 164 Cr. P.C. before the Magistrate which is kept on record. From the statement, it appears that no overt act has been committed and that the petitioner does not bear any criminal history.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on 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, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 584 of 2017, subject to the condition that both bailors would be close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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