

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31596 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Sharda Devi, W/o late Deepak Tiwary, R/o Village- Chauparan, P.S.
Chauparan, District- Hazaribagh(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends her arrest in Madanpur
P.S. Case No.61 of 2017 instituted for the offence under
Section(s) 366-A, 379 Indian Penal Code.

As per written report, son-in-law of the informant,
namely, Suraj Tiwary, was living as *Ghar Jamai* with her. He
fled away with the younger daughter of the informant, Naina
Kumari, aged about 15 years, along with cash, jewellery etc. The
informant went to enquire about her daughter from this petitioner
at which the petitioner and her *Dewar* etc. abused the informant
and gave threatening. It was further alleged that the girl is still
traceless.

It has been submitted on behalf of the petitioner that



the daughter of the informant, Naina Kumari, has been recovered. She has given statement under Section 164 Cr. P. C., which is annexed as Annexure-2, in which, she has stated that she had fled away with Suraj Tiwary as he had enticed her to perform marriage with her. Besides this, she has levelled general and omnibus allegation against this petitioner that she kept her jewellery, which she has taken with her.

It has further been submitted that petitioner is an old lady, who is mother of Suraj Tiwary, against whom there is allegation of specific overt act.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with in Madanpur P.S. Case No.61 of 2017, she 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 the Chief Judicial Magistrate, Aurangabad, 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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