

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28128 of 2018

Arising Out of PS. Case No.-73 Year-2017 Thana- DANDARI District- Begusarai

Mithlesh Devi wife of Birendra Sah @ Birendra Kumar Sah resident of
village - Dandari, P.S. Dandari, District – Begusarai ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party : Mr. Abhay Kumar – 1, APP 186

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018

Heard the learned counsel for the petitioner

The petitioner is apprehending his arrest in connection with Dandari P.S. Case No. 73 of 2017 registered for offences punishable under Sections 363 and 366A of the Indian Penal Code.

The petitioner is not named in the first information report. As per the first information report there is allegation of kidnapping of the minor girl of the informant.

Submission of the learned counsel for the petitioner is that petitioner is mother of one Himanshu Kumar and allegation of kidnapping is against Himanshu Kumar. The girl has not supported the case of the prosecution in her statement under Section 164 of the Criminal Procedure Code.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, named above, in the event of arrest or surrender before the Court below, within a period



of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned Smt. Sweta Grewal, Judicial Magistrate, 1st Class, Begusarai, in connection with Dandari P.S. Case No. 73 of 2017 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of the petitioner shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioner will not induce any witness or tamper with evidence.

(III) The petitioner shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

Shamshad/-

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