

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47694 of 2018

Arising Out of PS.Case No. -307 Year- 2017 Thana -KOTWALI District- MUNGER

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1. Nutan Devi W/o Raju Yadav, R/o Vill.- Lal Darwaza, P.S.- Kotwali,
District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends her arrest in Kotwali P.S.
Case No. 307/2017, instituted for the offences punishable under
Sections 363, 366(A) and 34 of the Indian Penal Code. Later on
Section 376 of the Indian Penal Code was also added.

Learned counsel for the petitioner has submitted that
in the written report, there is specific allegation against co-accused
Pradeep Yadav and Birbal Yadav of kidnapping the daughter of
informant. The victim on recovery has given her statement under
Section 164 Cr.P.C., which has been annexed as Annexure-2 to
the bail petition, wherein she has levelled specific allegation
against Birbal Yadav and Pradeep Yadav. It is alleged that Birbal



Yadav forcibly committed illegal act with her. This petitioner is mother of co-accused Birbal Yadav.

Considering the facts and circumstances of the case, the 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 Kotwali P.S. Case No. 307/2017, 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 learned Chief Judicial Magistrate, Munger, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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