

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67113 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- BASOPATTI District- Madhubani

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Rani Devi, Wife of Chhotu Rai, Resident of Village+P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Basopatti P.S. Case No.108 of 2018 registered for the offences punishable under Sections 363 and 366A read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that there is delay of three days in institution of the FIR. Upon recovery, the victim was examined under Section 164 of the Code of Criminal Procedure in which she has made specific allegation against one Ranjan who took her to Guwahati and Delhi by train. The manner in which the alleged victim has narrated the whole story would make it evident that out of her



own sweet will, she had gone together with the Ranjan and, after recovery, under the influence of her parents, she has named the petitioner also as the one who had induced her to go together with Ranjan.

Per contra, learned counsel for the State submitted that the delay in institution of FIR would not be relevant in view of the fact that the informant was first concerned with the recovery of his daughter, who was aged about 16 years age only. He further contended that the main accused Ranjan had taken away the informant by force on motorcycle and thereafter by train to different places at the instance of the petitioner.

I have heard learned counsel for the parties and perused the statement made by the victim under Section 164 of the Code of Criminal Procedure.

Considering the totality of the circumstances, in the event of arrest or surrender in the court below within a period of six weeks from today, the petitioner, who is said to be a lady of clean antecedent, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-Vth, Madhubani in connection with Basopatti P.S. Case No.108 of 2018 subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/SkSuman

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