

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27366 of 2018

Arising Out of PS. Case No.-393 Year-2017 Thana- GARKHA District- Saran

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Guriya Devi W/o Sri Santosh Singh, R/o Vill.- Chintamanganj, P.S.- Garkha,
District- Saran at chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh
For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-05-2018 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 366/34 of the Indian
Penal Code.

The prosecution case got initiated on the basis of written
report submitted by Harendra Singh to the Station House
Officer, Garkha Police Station is to the effect that the
informant's daughter Rakhi Devi used to reside with the
informant since last one year, though she was married. On
23.09.2017, at 09.00 A.M, she went outside the house, but she
did not return, nor she went to her in-laws house. In course of
search, the informant came to know that the petitioner Guriya
Devi and his brother Chandan Singh has enticed away the
daughter of the informant for the purpose of marriage.



It is submitted by learned counsel for the petitioner that the petitioner is grand-daughter-in-law of the informant. The informant's daughter was mentally abraded, as a result her husband deserted her, but she was also not being treated by the informant. As a result, the daughter of the informant herself left the house of the informant, but in order to save his skin, the present case has been lodged by the informant. The informant, his wife and his son have only raised suspicion against the petitioner. Moreover, for the occurrence of 2309.2017, the FIR was registered on 04.10.2017, but it reached to the Court of learned ACJM on 11.10.2017, which suggest that the FIR has been lodged with antedating. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner in the FIR.

Considering the delayed lodging of the case, accusation is based merely on suspicion and petitioner being a lady, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court



below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-5, Chapra, in connection with Garkha P.S. Case No.393 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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