

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48773 of 2018

Arising Out of PS.Case No. -886 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Sunita Devi wife of Sri Jay Narayan Thakur resident of Village : Kharik,
P.S. Naugachiya, District Bhagalpur at present residing in Village :
Sanhauli, P.S. Chitragupta Nagar, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-08-2018 The petitioner is apprehending her arrest in connection

with Khagaria P.S. Case No. 886 of 2017, registered for offences

punishable under Sections 409, 419/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the

brother of the informant for marriage with her daughter.

Submission of learned counsel for the petitioner is that a

petition has been filed in the Court of Sessions Judge, in which,

the boy has stated that he was not kidnapped rather he had gone

out of his own will and married with the daughter of the

informant.

Learned counsel for the State opposed the prayer for bail

and submitted that the boy in his statement recorded under Section

164 Cr.P.C. has named this petitioner.



Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on provisional bail for a period of one month on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No. 886 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, and the court below is directed to call the boy in the court and enquire from him and if the submission of learned counsel for the petitioner is found to be true, the court below shall confirm the provisional bail of the petitioner else he is free to pass any order as he deems fit and proper.

With the above observation and direction this application is disposed of.

(Vinod Kumar Sinha, J)

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