

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63232 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- SIDHWALIYA District- Gopalganj

Mala Devi wife of Thakur Prasad, Resident of Village- Larauli, Police Station- Sidhwalia, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends her arrest in connection with Sidhwalia P.S. Case no. 126 of 2018 registered under Sections 366A/34 of the Indian Penal Code.

Petitioner along with two other accused persons are said to have kidnapped the minor daughter of the informant with intention to perform marriage with her.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case. As a matter of fact, victim in her statement recorded under Section 164 Cr.P.C. has stated that she was in love with accused Sudu Kumar and



performed marriage with him at Gaziabad. She has not named the petitioner in the occurrence in her aforesaid statement. As per the matriculation certificate, the victim was major at the time of occurrence and co-accused Takhur Prasad has been enlarged on bail by the court below. Petitioner happens to be lady.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four 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 learned A.C.J.M.-VIth, Gopalganj in connection with Sidhwalia P.S. Case no. 126 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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