

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22467 of 2018

Arising Out of PS.Case No. -296 Year- 2017 Thana -SURSAND District- SITAMARHI

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1. Sita Devi w/o Nandan Mahto Resident of village- Radhaur, P.S.-
Sursand, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Sursand P.S.Case nO.296 of 2017 , registered for offences punishable under Sections 363, 366(A), 372 and 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the daughter of the informant.

Submission of the learned counsel for the petitioner is that the materials during the investigation shows that victim had been taken by the son of Bindeshrar Mahto and petitioner has been falsely implicated in this case because she has not co-operated with the informant. It is also submitted that her statement has been recorded under Section 164 Cr.P.C. after her recovery and she has



named the petitioner also but specific allegation has been attributed against Bindeshwar Mahto and Sanjay Kumar and moreover the petitioner is a lady and another co-accused having similar allegation has been granted privilege of the anticipatory bail vide order dated 5.4.2018 passed in Cr. Misc. No.19763 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri at Sitamarhi in connection with Sursand P.S.Case no.296 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of her bail bond.



With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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