

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48421 of 2017

Arising Out of PS. Case No.-131 Year-2017 Thana- CHAUTHAM District- Khagaria

Usha Devi, Wife of Prakash Sharma, Resident of Village- Nirpur, P.S.-
Choutham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. MD. FAHIMUDDIN

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 05-01-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Choutham P.S. Case No. 131 of 2017, disclosing offences under Sections 363,366A/34 of the Indian Penal Code.

The petitioner is mother of the main accused Santosh Sharma. Allegedly, the informant's daughter was kidnapped by the accused persons for the purpose of her marriage with the said main accused Santosh Sharma.

Learned counsel for the petitioner has submitted that the so-called victim has been made statement under Section 164 of the Code of Criminal Procedure. He has further submitted that there is no material against this petitioner.

Considering the submission as above and the fact that the petitioner is a lady, this application is allowed.



Let the petitioner above named in the event of her arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Khagaria in Choutham P.S. Case No. 131 of 2017 (G.R. No. 1979 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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