

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19913 of 2018

Arising Out of PS.Case No. -355 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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1. Shobha Devi Wife of Sri Braj Kishore Singh@ Brij Kishor Singh
Resident of Village- Pithauri, P.S. Siwan Muffassil (O.P. Dhanauti),
District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-08-2018 Heard the parties.

The petitioner is apprehending her arrest in connection with
Siwan Muffasil (Dhanauti O.P.) P.S.Case No.355 of 2017 ,
registered for offences punishable under Sections 363 and 365 of
the Indian Penal Code.

Allegation against the petitioner as per FIR is of kidnapping
the son of the informant and the petitioner is not named in the FIR
and later on her name transpired on the basis of the fact that the
mobile, which was used in demanding ransom, belongs to the
petitioner.

Submission of the learned counsel for the petitioner is that
in the statement recorded under Section 161 of the Cr.P.C., the
boy has only taken name of mother of Golu and thereafter in his
statement recorded under Section 164 Cr.P.C. he has taken name



of the mother of Golu. There is also allegation of touching the private part. So far the SIM used in the Mobile is concerned, it is of some other person and moreover son of the petitioner has confessed that he has kidnapped the boy.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the boy has named this petitioner also as showing mother of Golu.

Having heard both sides and in view of the fact that in the statement recorded under Section 164 Cr.P.C. the boy has not named the petitioner and moreover the petitioner is a lady, in such view of the matter, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on surrender she will 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 C.J.M., Siwan in connection with Siwan Muffasil (Dhanauti O.P.) P.S.Case No.355 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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