

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44690 of 2018

Arising Out of PS.Case No. -241 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Sagar Devi, Wife of Baijnath Yadav, Resident of Village- Prash, P.S.-
Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Atauli P.S. Case No. 241 of 2016, G.R. No. 2007 of 2016,
registered for offences punishable under Sections 363, 366 (A)/34
of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the
daughter of the informant for the purpose of marriage.

Submission of the learned counsel for the petitioner
is that the petitioner has falsely been implicated in this case and
the F.I.R. has been lodged after four days delay of the occurrence
without giving any plausible reason. It is also submitted that the
statement of the victim girl has been recorded under Section 164



Cr. P. C. in which she disclosed the name of the petitioner but she was not recovered from possession of the petitioner and there is no allegation made by the girl regarding any physical or sexual exploitation and the petitioner is a lady and the similarly situated persons has been granted privilege of bail vide order dated 19.07.2018 passed in Cr. Misc. No. 26580 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, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Atauli P.S.Case No. 241 of 2016, subject to the 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) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution



is free to move for cancellation of his bail bonds

(Vinod Kumar Sinha, J)

Sudha/-

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