

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25676 of 2018

Arising Out of PS. Case No.-323 Year-2017 Thana- RAMKRISHNANAGAR District- Patna

Sangita Devi, Wife of Raju Rajak, Daughter of Nathu Rajak, Resident of Naya Chak, P.S.- Ramkrishna Nagar, District- Patna. at present resident of Road No.4, Delhi Model High School, Behind Punjab National Bank, P.S.- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the informant.

Petitioner apprehends her arrest in Ramkrishna Nagar P.S. case no. 323 of 2017 instituted for the offence under Section(s) 363 and 365 of the Indian Penal Code.

It is submitted that there is no allegation of any specific overt act against this petitioner. The petitioner is wife of Raju Rajak with whom the wife of the informant is alleged to have gone. In the written report, it is alleged that this petitioner who was known to the wife of the informant took her to her house on the pretext to purchase washing machine. But she did not return. When the informant went to inquire from her she did not give any satisfactory reply. The victim has given her



statement under Section 164 Cr.P.C. wherein she has stated that she was taken by Raju Rajak to the market for purchasing washing machine along with her daughter. Thereafter, he took her to Haryana. He kept her in Haryana and also established physical relationship with her.

In this manner, there is specific allegation against co-accused Raju Rajak. There is no allegation of any specific overt act against this petitioner.

Learned counsel for the informant has appeared and submitted that this petitioner is alleged to have taken the wife of the informant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Ramkrishna Nagar P.S. case no. 323 of 2017, she shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.,-XIII, Patna subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate



in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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