

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56033 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -ASHTHAWAN District- NALANDA
(BIHARSHARIFF)

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Rekha Devi @ Rekha Kumari, Wife of Late Sunil Mahto @ Sunil Kumar,
Resident of Village- Rajawan, Police Station- Asthawan, District-
Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh
For the Informant : Mr. Pankaj Kumar, Advocate.
For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366A/34 of the Indian Penal Code registered in connection with Asthawan P.S. Case No. 76 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely she happens to be the mother of Saurabh Patel who along with two other persons took away the victim lady to Patna. Thereafter, Saurav Patel is said to have taken the victim girl to Delhi and Nagaland. It is submitted that she nowhere has been named in the entire episode. No overt act has been alleged against her. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu and opposes the bail petition.

5. Be that as it may, having regard to the entirety of the



facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Bihar Sharif at Nalanda in connection with Asthawan P.S. Case No. 76 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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