

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7076 of 2019

Arising Out of PS. Case No.-424 Year-2018 Thana- TEGHRHA District- Begusarai

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KHUSHUBOO DEVI @ KHUSHUBU KUMARI @ KHUSHUBU DEVI,
W/o Badam Mahto, R/o- Samsa- Ward No. 6, P.S. Mansoorchak, Dist
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APp

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-02-2019 Learned counsel for the petitioner is permitted to
make necessary correction in the petition.

Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
21.11.2018 in a case registered for the offences punishable
under Sections 366(A), 120(B) and 34 of the Indian Penal Code.

The prosecution case as per the written report of Vijay
Kumar Sah submitted to the S.H.O., Teghra P.S. is to the effect
that on 27.10.2018 at about 10-11 P.M., the daughter of the



informant namely, Jyoti Kumari was kidnapped by the FIR named accused persons including the petitioner.

It is submitted by learned counsel from the petitioner that statement of the victim recorded under Section 164 Cr. P.C., the victim has recorded her age as 17 years whereas the Court has also assessed as such. The victim girl has further stated that since the mother of the victim was angry with her, she left his house with co-accused, Dablu Mahto and went to Aasam but subsequently, she returned home. It is further submitted that co-accused, Dablu Mahto is brother-in-law of co-accused, Mahadev Mahto and the petitioner is married daughter of co-accused Mahadev Mahto and in the background of some family dispute, the petitioner has been roped in the present case. Moreover, the statement recorded under Section 164 of the Cr. P.C., the victim girl has not named the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR.

Considering the fact that the statement recorded under Section 164 Cr. P.C., the victim girl has denied the accusation of kidnapping and has also not named the petitioner, coupled with



the fact that a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned **C.J.M., Begusarai** in connection with **Teghra P.S. Case No.424 of 2018.**

(Dinesh Kumar Singh, J)

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