

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9854 of 2019

Arising Out of PS. Case No.-344 Year-2018 Thana- LALGANJ District- Vaishali

1. SHOBHA DEVI AND ANR Wife of Bharat Shukla @ Bharat Kumar Shukla Resident of Village - Khanjaa Chak, P.S.- Lalganj, District- Vaishali (Hajipur)
2. Bharat Shukla @ Bharat Kumar Shukla Son of Ram Prit Shukla Resident of Village - Khanjaa Chak, P.S.- Lalganj, District- Vaishali (Hajipur) (dismissed as having become infructuous vide order dated 16.04.2019)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sachidanand Choudhary

For the Opposite Party : Dr. (Mrs.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 18-09-2019 This application stood dismissed as infructuous as against petitioner No.2, namely, Bharat Shukla @ Bharat Kumar Shukla, consequent upon his arrest, vide order dated 16.04.2019.

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Lalganj P.S. Case No. 344 of 2018 for the offence punishable under Sections 363, 366A and 504/34 of the Indian Penal Code.

It is the prosecution case that minor daughter of the informant is missing since 18.09.2018 and it is learnt, on search, that the persons, named in the First Information Report, had kidnapped her for the purpose of marriage.



Learned counsel appearing on behalf of the petitioner has submitted that she is aunt of one Gaurav Kumar, who is said to be the person instrumental for alleged kidnapping of the victim. The erstwhile petitioner No.2 has been arrested and has subsequently been allowed regular bail by this Court. The girl has not been recovered.

Considering the welfare of the victim, this Court had issued certain directions to the Superintendent of Police, Vaishali at Hajipur, to ensure her recovery. She has so far not been recovered and an affidavit is being filed today on his behalf, which has been taken on record.

Considering the facts and circumstances and the submission that there is no factual basis available for implication of the present petitioner in connection with the said case, this application is allowed.

Let the petitioner above named, in the event of her arrest/surrender within six weeks from today in the Court below, 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 the learned C.J.M., Vaishali at Hajipur, in Lalganj P.S. Case No. 344 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioner shall present herself before the Police/Court, as the case may be, as and when required and in the event of failure on her part to appear before the Court on two consecutive occasions, her bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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