

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20561 of 2019

Arising Out of PS. Case No.-122 Year-2017 Thana- BAKHARI District- Begusarai

Savita Devi @ Sabita Devi, female, age 45 years, Wife of Kishor Yadav @ Kiso Yadav Resident of Village - Khakharua, P.S.- Bakhari, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 366(A), 384 and 34 of the Indian Penal Code registered in connection with Bakhari P.S. Case No. 122 of 2017.

3. It is submitted that the petitioner has been falsely implicated as evident from the deposition of the so-called victim girl recorded under Section 164 of the Cr.P.C. according to which she had accompanied her maternal uncle to her *Nanihal* but she has not named the petitioner. The petitioner has been implicated merely because she is the mother of co-accused Lalan Yadav and it has been alleged in the FIR that it is the co-accused Lalan Yadav who had taken away the informant's daughter. There is inordinate delay in instituting the first information report on 12.05.2017 for the alleged occurrence of 13.04.2017. The petitioner claims clean antecedents.

4. Be that as it may, 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 Additional Chief Judicial Magistrate-V, Begusarai in connection with Bakhari P.S. Case No. 122 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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) That the petitioner shall be well represented in court on each and every date during trial except as and when directed by the learned court to be physically present, 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.

(iv) That 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.

BT/-

(Vikash Jain, J)

U		T	
---	--	---	--

