

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21472 of 2019

Arising Out of PS. Case No.-434 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Daro Devi (F), aged about 39 years, Wife of Gopal Rajak, Resident of
Village- Hasanpur, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate
For the Opposite Party : Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 16-07-2019 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), 504 and 506/34 of the Indian Penal Code registered in connection with Lakhisarai (Kabaiya) P.S. Case No. 434 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with the alleged kidnapping of grand-daughter of the informant for the purpose of solemnizing marriage with co-accused Chhotu Yadav. The petitioner has not been named in the FIR rather her name has come in the statement of the victim girl recorded under Section 164 of the Cr.P.C. Even in her deposition, the victim girl has claimed herself to be 18 years of age and as such, the provisions of Section 366 (A) are not attracted. It is submitted that the so-called victim girl had love affairs with co-accused Chhotu Yadav and since the petitioner was seen with him together, she has been implicated by the victim girl in her deposition. The petitioner and the victim girl are neighbours. Other co-accused persons except Chhotu Yadav have been granted



anticipatory bail by the learned Sessions Judge, Lakhisarai in ABP No. 532/2018, ABP No. 594/2018 and ABP No. 75/2019. The petitioner claims clean antecedents.

4. Learned APP, on the other hand, invites reference to the deposition of the victim girl in which specific allegation has been made to the effect that the petitioner had put handkerchief on the nose of the victim causing loss of her consciousness.

5. Having regard to the nature of accusations and gravity of offence alleged as well as the specific accusation made by the victim girl in her deposition under Section 164 of the Cr.P.C, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned trial Court the same shall be considered on its own merit in accordance with law on the same day and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

BT/-

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

