

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28119 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- BARIYARPUR District- Munger

KIRAN DEVI Wife of Munna Singh, Resident of Village-Fulkiya, P.S.-
Bariarpur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Suman Kumar Mishra
For the Opposite Party/s	:	Mr.Abhay Kumar
For the informant	:	Mr. Suraj Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner,learned
A.P.P. for the State and learned counsel for the informant.

The petitioner has prayed for grant of bail in connection with Bariarpur P.S. Case No.157 of 2018 registered for the offence under Sections 364/34 of the Indian Penal Code.

As per the F.I.R. the allegation is that about one month prior to the occurrence daughter of the petitioner had come to the house of the informant and disclosed that she was in love with the son of the informant. It is stated that the informant reached the girl to her house. However, subsequently the named accused persons including the petitioner came and threatened the informant that they would kidnap the son of the informant. It is finally alleged that the accused persons



including this petitioner have kidnapped the informant's son with the intention to kill him.

It is submitted by learned counsel for the petitioner that this petitioner happens to be the mother of Resham Kumari about whom the informant had described that she is the girl who was in love with his son. There is no direct or indirect allegation against this petitioner who is lady having no criminal antecedent and she is in custody since 24.12.2018.

Case diary had been called for vide order dated 29.04.2019 and the same has been received.

It is submitted by learned counsel for the informant that the petitioner is named in the F.I.R. and there is direct allegation of having come along with others and threatened that his son would be kidnapped. It is further submitted that it has come during course of investigation that the brother of this petitioner is a veteran criminal and till date the son of the informant has still not been recovered. It is further submitted that in the investigation on tracking the mobile phone of the missing son of the informant it has come that the missing boy was last located in Katihar, which is the place of the maternal grand father of the girl Resham Kumari and, as such, the petitioner also has a hand in the crime.



Learned A.P.P. for the State has also opposed the application for bail of the petitioner.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner is a lady, is in custody since 24.12.2018 and there is no substantial mater in the case diary yet to connect her with the alleged crime, the Court is inclined to grant bail to the petitioner. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction A.C.J.M.-II, Munger, in Bariarpur P.S. Case No.157 of 2018.

(Partha Sarthy, J)

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