

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34891 of 2019

Arising Out of PS. Case No.-155 Year-2016 Thana- LAKHNAUR District- Madhubani

Sakunti Devi, Wife of Mansi Sada, Resident of Village- Koni Enamat, P.S.-
Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
08.09.2018 in a case registered for the offence punishable under
Section 370(4) of the Indian Penal Code.

It is alleged that the minor son of the informant was
taken away by an unknown lady and during investigation, it was
found it was the petitioner who took away and sold the child of
the informant to co-accused Lila Kumari and Radhey Shyam
Mochi.

It is submitted by learned counsel for the petitioner
that the co-accused found the boy on the road and the actual age



of the boy is four years, whereas from the FIR, it appears that the stolen boy was aged about seven months. Moreover, D.N.A. report contained in Annexure-2 suggests that the informant and her husband are not the biological parents of the recovered child and co-accused Lila Kumari and Radhey Shyam Mochi have been granted bail by a Co-ordinate Bench of this Court vide order dated 10.12.2018 passed in Cr. Misc. No. 71592 of 2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner to have sold the minor son of the informant.

Considering the fact that the petitioner is a lady and investigation has already been concluded, moreover, co-accused persons have been granted bail, coupled with the statement made in paragraph 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 Additional Chief Judicial Magistrate- Ist, Jhanjharpur, District - Madhubani



in connection with Lakhnaur (R.S.O.P.) P.S. Case No. 155 of
2016.

(Dinesh Kumar Singh, J)

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