

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55508 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- MIRGANJ District- Gopalganj

Manju Devi W/o Brahma Mahto @ Brainha Mahto, R/o Vill.- Mohanpura
Kusaudhi Tola, P.S.- Mirganj, District- Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 18-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Mirganj P.S. Case No. 28 of 2018 registered under Sections 363, 366A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that this petitioner happens to be the Aunt of the boy with whom the daughter of the informant got married. It is submitted that in course of investigation the victim girl has come back and got recorded her statement under Section 164 Cr.P.C. In her 164 Cr.P.C. she has alleged that this petitioner was helping her in talking to the boy Rama Yadav with whom she was well acquainted. The victim girl had stayed for 7 months with Rama Yadav and had got solemnized marriage in temple.

It is further submitted that in paragraph-46 of the case diary the age of the victim girl has been assessed in between 18 – 19 years. Learned counsel therefore submits that it is matter of love affair in which at belated stage this petitioner has been falsely implicated.



No one appears on behalf of the State to oppose the prayer for anticipatory bail of the petitioner.

In the facts and circumstances of the case taking note of what has been revealed in the case diary and the statement under Section 164 Cr.P.C., in the event of her arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – XVI, Gopalganj, in connection with Mirganj P.S. Case No. 28/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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