

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51977 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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KALMUKHI DEVI, aged about 50 years, Female, Wife of Ram Kumar Rai,
Resident of Village-Ballochak, P.S.-Dalsinghsarai, District-Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ram Prawesh Kumar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 29.05.2019
in a case for the offence registered under Sections 363 and 364
of the I.P.C.

The prosecution story, in brief, is that on 21.05.2019
at about 7.44 P.M. while the informant was going to his house
on a Motorcycle with his daughter Rupa Kumari, aged about 14
years, who was studying in Gurukul School at Samastipur, in
course of it, in the way to Bhiri Tola, 8-10 culprits intercepted
him and started assaulting him, out of which, one culprit on the
point of gun, forcibly took his daughter on a white colour car. It
is further alleged that when the informant tried to rescue his



daughter, one of the culprit attacked on his mouth with butt of gun causing fracture his mouth and fell down on the ground thereafter, 2-3 culprits took cash Rs. 1200/-, driving license, important documents and key of motorcycle and fled away giving threatening to manage money.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused Vijay Kumar and Sujeet Kumar. The victim has already been recovered. Her statement under Section 164 Cr. P.C. has been recorded vide Annexure-2 to the present application. No allegation of sexual assault has been alleged against this petitioner by the victim.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Chief Judicial Magistrate, Samastipur, in connection with
Muffasil P.S. Case No. 241 of 2019.

(Sudhir Singh, J)

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