

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60325 of 2019

Arising Out of PS. Case No.-479 Year-2016 Thana- SITAMARHI District- Sitamarhi

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KHUSHBOO KUMARI @ KHUSBU KUMARI D/o Raman Mandal
Resident of Village - Koal Bazar, Ward No.14, near Gani Nath Mandir Chak
Mohila Sitamarhi Bazar, P.S.- Sitamarhi, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kameshwar Singh

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 363, 366-A and 120-B of the Indian Penal Code, registered in connection with Sitamarhi P.S.Case No. 479 of 2016 (Sessions Trial No.530 of 2017).

3. It is submitted that the petitioner has been falsely implicated, as is evident from the statement of the informant's daughter recorded under Section 164 Cr. P.C., in which she has categorically stated that she voluntarily accompanied Vikas and solemnized marriage with him. In her statement, she has claimed to be 20 years of age and assessed as 19 years. It is, therefore, submitted that the ingredients of the offences under



Sections 363 and 366-A are not attracted. The petitioner has not been named by the so-called victim girl and merely happens to be a student of the same coaching centre. The petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, 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 District and Sessions Judge, Sitamarhi in S.T.No. 530 of 2017 arising out of Sitamarhi P.S.Case No 479 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make herself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(iv) That the petitioner shall be well represented in court on each and every date during trial, except as and when directed by the learned court below to be physically present and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned court concerned.

(Vikash Jain, J)

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