

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 71416 of 2019**

Arising Out of PS. Case No.-538 Year-2019 Thana- SONEPUR District- Saran

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URMILA DEVI Wife of Dipa Mahto Resident of Shobhepur, P.S.- Nayagaon,
Distt- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjai Kumar Singh
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 17-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner apprehends arrest in connection with Sonapur
Police Station (for brevity, *PS*) Case No 538 of 2019 dated
24.07.2019 instituted for the offence under Section(s) 366A of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation in the first information report (for brevity, *FIR*) is that
son of the instant petitioner has allured and taken away the
minor daughter of the informant for the purposes of marriage. It
is submitted by the petitioner's counsel, referring to the *FIR*,
that the same does not disclose any overt role of the petitioner.
At best, the petitioner's son had accompanied her to the family



function (wedding) where the petitioner's son came in touch with daughter of the informant. It is submitted that in view of the nature of allegations made in the FIR, at best, there is a suspicion cast upon the petitioner by virtue of being mother of the accused Manish Kumar against whom there is allegation of enticing and taking away the minor daughter of the informant. The parties are also related to each other and the petitioner is also anxious to find out the whereabouts of the daughter of informant as well as her own son.

The learned APP for the State has opposed the prayer for anticipatory bail

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, she shall be released on anticipatory bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur PS Case No 538 of 2019 dated 24.07.2019 subject to the conditions as laid down under Section 438(2) Criminal Procedure Code and also the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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