

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.874 of 2019

Arising Out of PS. Case No.-457 Year-2017 Thana- AGAMKUAN District- Patna

Chaneshari Devi @ Chaneshwari Devi, wife of Shrawan Mahto, Resident of
Village/Mohalla- Badi Pahari, Police Station- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Sri Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 17-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Special Case No. 8 of 2018 arising out of
Agamkuan P.S. Case No. 457 of 2017 registered for the offence
punishable under Sections 365/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was
rejected with a direction to the court below to renew her prayer
of bail after six months of the framing of charge, if the trial does
not conclude.

Informant is the mother of victims, who in her
written complaint has stated that petitioner alongwith other co-
accused enticed away her two minor daughters and later on sold
in Rajasthan in Rs. 2 lacs for the purpose of marriage.



It has been submitted on behalf of the petitioner that she is innocent and has been falsely implicated in this case. There is no specific allegation of keeping the victims in illegal custody against petitioner rather is against Laxmi Narayan and demand of money from Laxmi Narayan is against Chhathiya Devi and Puja Devi whom Laxmi Narayan has already paid Rs. 2 lacs each. During course of investigation, victims have been recovered and in her statement under 164 of Cr.P.C. she has stated that they were living at petitioner's house who happens to be Fua of them and she alongwith other co-accused came to Rajendra Nagar Station from where petitioner returned to her house but rest accused persons took them to Rajasthan where they sold to Laxmi Narayan and Narpin. It has been further submitted that other co-accused, namely, Laxmi Narayan, Seema Devi, Puja Devi, Anil Sharma have been granted bail by this Hon'ble Court as contained in Annexure-5 series. Petitioner has no criminal antecedent and she is in custody since 30.10.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st



Additional Sessions Judge, Patna, in connection with Special
Case No. 8 of 2018 arising out of Agamkuan P.S. Case No. 457
of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and her absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel her bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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