

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.11369 of 2020**

Arising Out of PS. Case No.-355 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

CHULBUL DEVI Wife of Suman Mahto Resident of Village- Gaighat, P.S.-
Runnisaidpur, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 08-06-2020 This application has been placed for

consideration by the order of the Hon'ble the Chief

Justice through virtual court proceeding.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner in the present case is seeking

regular bail in connection with Runnisaidpur P.S. Case
No. 355 of 2019 registered for the offences punishable

under Sections 363, 366(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that

as per allegations this petitioner had allured the minor

daughter of the informant and was taking her for



purpose of marriage with one Rakesh Mahto. It is submitted that in her statement under Section 164 Cr.P.C. though the victim girl has supported the prosecution story but she has stated that she had gone with this petitioner and had come back on her own. She also desired that she wanted to marry with Rakesh Kumar and in paragraph '34' of the case diary it has come that the victim girl did not want to go for medical checkup.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, however accepts that in paragraph '34' of the case diary it has come that the victim girl did not want to go for medical checkup and in her statement under Section 164 Cr.P.C. she has stated that she had come back on her own.

Considering the facts and circumstances of the case, wherein this petitioner is said to have taken away the victim girl but it is the statement of the victim girl that she had come back on her own, she wanted to marry Rakesh Kumar and refused to undergo medical



examination and further that the petitioner has remained in custody in connection with this case since 06.09.2019, investigation against her is complete and there is no submission that her release at this stage is in any way likely to interfere with the course of trial, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaipur P.S. Case No. 355 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

