

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12614 of 2020

Arising Out of PS. Case No.-107 Year-2019 Thana- DHURAIYA District- Banka

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Shobha Devi Wife of Suresh Harijan, resident of Village- Jotha, P.S.-
Dhoraiya, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-09-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State via video

conferencing.

The petitioner seeks pre-arrest bail in connection with

Dhoraiya P.S. Case No. 107 of 2019 registered under Sections

363, 366-A/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner

that there is no truth behind the allegation made in the FIR. The

daughter of the informant had married the son of the petitioner

out of her own sweet will. However, under the pressure of her

family members, she changed her stand and stated that marriage

was forcibly done with Sunil Kumar, son of the petitioner. He

contended that even in the statement made under Section 164 of



the Code of Criminal Procedure, the victim has not uttered anything specific as against the petitioner.

Learned Additional Public Prosecutor appearing for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the totality of the facts and circumstances of the case, the petitioner is directed to be released on bail, in the event of her arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Banka in connection with Dhoraiya P.S. Case No. 107 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted



by me from my email id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.

- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the order be sent to Mr. Brij Nandan Prasad, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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