

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12668 of 2020**

Arising Out of PS. Case No.-716 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Sona Devi @ Soni Devi, Wife of Dinesh Mahto, Resident of Bihat, P.S.-  
Barauni, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      04-06-2020                      The matter has been taken up through virtual Court proceeding.

Heard Mr. Pritish Kumar Lal, learned counsel for the petitioner and Mr. J.N. Thakur, learned APP for the State.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

The prosecution case, as per the written report of Ganesh Yadav submitted to the Station House Officer, Begusarai Town P.S., is to the effect that the daughter of the informant, Anshu Kumari aged about 16 years went traceless on 06.12.2019 at 3.00 P.M. Subsequently, the informant came to know that neighbour of the informant, Arti Kumari D/o Dinesh



Mahto took the daughter of the informant but she did not return. On query, Dinesh Mahto and his wife, petitioner Sona Devi conveyed that the daughter of the informant went from there but did not return when the pressure mounted on the petitioner then her husband co-accused Dinesh Mahto informed the informant that your daughter is with them and they threatened the informant.

It is submitted by learned counsel for the petitioner that in the FIR only suspicion has been raised against the petitioner. The 164 Cr.P.C. statement of the victim suggests that she was taken to the house of the petitioner by the daughter of the petitioner, Arti Kumari where the victim took tea and thereafter, she became unconscious. Subsequently, the victim was taken by the husband of the petitioner to Silliguri, hence, the thrust of accusation, at best, is against Dinesh Mahto, the husband of the petitioner. The petitioner is languishing in custody since 11.12.2019 and investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that in connivance of the petitioner also, the offence was committed.

Considering the fact that thrust of accusation is



against co-accused Dinesh Mahto, the petitioner is a lady and investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 716 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with



Begusarai Town P.S. Case No. 716 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

**(Dinesh Kumar Singh, J)**

DKS/-

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