

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25007 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- BARAUNI District- Begusarai

DAIZI DEVI W/o Late Prem Mahto Resident of Village-Rajwara Gachhi
Tola, Post-Barauni, P.S.-Sahayak Thana Garhhara, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-10-2020 Heard Mr. Ajay Kumar Sinha, learned counsel for
the petitioner and Mr. Rabindra Kumar, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner apprehends her arrest in connection with
Barauni (Garhara) PS Case No. 71/2020 registered for the
offence punishable under Section 366A of the IPC.

3. The allegation, as per FIR, is that the daughter of
the informant had gone for tuition but did not return. When the
informant searched at his own level, he came to know that
petitioner and other accused persons abducted his daughter for
the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with oblique
motive and due to the fact that she happens to be neighbour of



the informant. Learned counsel, referring to the supplementary affidavit, submits that from perusal of the statement of the victim girl recorded under Section 164 CrPC, it would be evident that the victim has categorically stated that she had gone with the accused on her own free will and without any coercion.

5. Learned counsel for the petitioner further submits that from the statement of the victim girl recorded under Section 164 CrPC, it would be evident that the victim girl has not stated anything against this petitioner.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the victim girl has not stated anything against the petitioner in her statement recorded under Section 164 CrPC, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, petitioner, DAIZI DEVI shall be released on anticipatory bail, in the event of her arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Garhara) PS Case No. 71/2020, subject to the conditions as laid down under Section 438(2) CrPC.



8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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