

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49027 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- GAIGHAT District- Muzaffarpur

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MALA DEVI, Wife of Shashi Thakur, Resident of Village - Boaridih, P.S.-
Gayghat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Karn, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 24-01-2020 Heard learned counsel for the parties.

Petitioner, apprehends her arrest in a case registered for the offences punishable under Sections 363, 366, 366(a)/34 of the Indian Penal Code.

Informant has alleged that on 20.04.2019 at about 4:30 P.M., her neighbour Babita Devi and Mala Devi (petitioner) called her minor daughter Rani Kumari and thereafter she did not return and even after much search her whereabouts could not be ascertained. The girl has been recovered and her statement has been recorded under section 164 of Cr.P.C. in which she has stated that she had left her house on her sweet will and volition to meet Akhilesh Kumar, who had called her to come to station and thereafter she went with Akhilesh and solemnized marriage with him.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on suspicion. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Gayghat P.S. Case No. 105 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:

(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 present on each and every date fixed by the court and her absence on two consecutive dates without proper and valid reason trial court shall have 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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