

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77089 of 2019

Arising Out of PS. Case No.-305 Year-2019 Thana- BARHARA District- Bhojpur

Nilam Devi Wife of Narad Prasad Sah Resident of Village-Matukpur, P.S.-
Barahara, District-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

For the Opposite Party/s : Dr. Mritunjay Kumar, Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-06-2020 Heard Mr. N.K. Agarwal, learned senior counsel for
the petitioner and Dr. Mritunjay Kumar Gautam, learned
Additional Public Prosecutor for the State via video
conferencing.

The petitioner has filed the present application for
grant of pre-arrest bail in connection with Barahara P.S. Case
No. 305 of 2019 registered for the offence punishable under
Sections 363 and 366A/34 of the Indian Penal Code.

The prosecution story, in brief, is that one Byash
Prasad Sah gave a written report to the Officer-in-Charge,
Barhara P.S. to the effect that one Sagar Kumar, who happens to
be grandson of the elder brother of the informant induced and



took away the minor daughter of the informant, aged about 17 years, in collusion with his mother. She had administered intoxicated material in lemon juice and served it to the family members, who became senseless and after taking away cash of Rs. 20,000/- and ornaments, she fled away. Two months ago also Sagar Kumar had taken away his daughter.

It is submitted by Mr. Agarwal, learned senior counsel for the petitioner that the FIR has been instituted on 01.09.2019 for an alleged occurrence which took place on 28.08.2019. He contended that the allegations have been made after due deliberation with an oblique motive. He further contended that as far as the petitioner is concerned, her implication is only because she happens to be the mother of co-accused Sagar Kumar with whom the daughter of the informant is allegedly eloped.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and the attending circumstances of the case, the petitioner is directed to be released on bail in the event of her arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



C.J.M., Bhojpur, Ara in connection with Barahara P.S. Case No.
305 of 2019, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

rohit/-

U		T	
---	--	---	--

