

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39937 of 2021**

Arising Out of PS. Case No.-577 Year-2020 Thana- LAKHISARAI District- Lakhisarai

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RAGINI RAJ W/o Aashutosh Kumar @ Gangesh, D/O Manoj Mahto  
Resident of Village - Belori, P.S. and District - Lakhisarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Rajnish Chandra, Advocate

For the Opposite Party/s : Mr.Ramchandra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      07-10-2021                      Heard learned counsel for the petitioner and Mr.  
Ramchandra Singh, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with Lakhisarai P.S. Case No. 577 of 2020 registered for the offences punishable under Section 363/365 of the Indian Penal Code. She is in custody since 16.11.2020. The petitioner has no criminal antecedent.

This case has been taken up out of turn for consideration on the mentioning made by learned counsel for the petitioner saying that the petitioner has got one year old child with her in custody and in this case the other co-accused have already been enlarged on bail.

Learned counsel for the petitioner submits that as per the prosecution story, the brother of the informant was going by his bicycle when he was kidnapped. In course of his search, the informant came to know from local persons that one person with a



car had forcibly taken away his brother towards the market side.

Learned counsel for the petitioner submits that in this case on the basis of the confessional statement of the co-accused Badal Kumar, the victim boy has been recovered. It is his specific submission that so far as this petitioner is concerned, she has been made accused only because of her relationship with the co-accused Ashutosh Kumar @ Gangesh.

Learned counsel submits that in course of investigation no material at all has been collected showing that the petitioner had played any active role either at the time of kidnapping of the boy or thereafter in demanding the ransom.

Mr. Ramchandra Singh, learned APP for the State having gone through the case diary has informed this Court that the name of the petitioner has transpired as an associate of the co-accused, however, learned APP submits that the recovery of the kidnapped boy is at the instance of co-accused Badal Kumar and on query made by this Court as to any specific role assigned to this petitioner, learned APP has confirmed that no specific role has been assigned to this petitioner.

Considering the facts and circumstances of the case, the kind of materials placed before this Court in which no active role of the petitioner has been pointed out as also considering that she is in custody for about one year with a child of one year, this Court directs release of the petitioner above named on bail on furnishing of bail



bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 577 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

Let learned APP return the case diary to the office.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

