

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28821 of 2021**

Arising Out of PS. Case No.-5 Year-2021 Thana- DUMARIYA District- Gaya

RUBI DEVI Wife of Manoj Paswan Resident of Village - Chitabkala, P.S.-
Sherghati, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr. Mushtaque Alam, APP

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

3 27-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 363, 366A of the Indian
Penal Code.

As per the prosecution case, some unknown persons
kidnapped the minor daughter of informant for the purpose of
marriage.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that the occurrence took place on
24.12.2020 but the FIR was lodged on 23.01.2021 without any
explanation for such delay. The petitioner is not named in the
FIR and her name surfaced in the case during the course of
investigation in the statement of victim recorded u/s 164 of Cr.



P. C. in which she stated that this petitioner arranged room for co-accused Bikram Paswan, who is alleged to have sexually assaulted her. Thrust of accusation is against co-accused, Bikram Paswan. Petitioner claims clean antecedent and is in custody since 29.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Subhash Kumar, Judicial Magistrate, 1st class, Sherghati, Gaya in connection with Dumaria PS case No. 05/2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

BKS/-

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