

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21064 of 2020

Arising Out of PS. Case No.-132 Year-2019 Thana- KEWATI District- Darbhanga

JIKAL DEVI, W/o Ram Lakhan Yadav @ Late Ram Lakhan Yadav Resident
of Village - Kayam Chak Tola Bhojpatti, P.S.- Keoti, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

12 21-06-2021 Heard Mr. Vinay Kumar Mishra, learned counsel

for the petitioner and Mr. Ram Priya Sharan Singh,

learned APP for the State.

The petitioner seeks bail in anticipation of her
arrest in connection with Keoti P. S. Case No. 132 of
2019, dated 06.09.2019, instituted for the offences
under Sections 363, 365 and 34 of the Indian Penal
Code and Section 10 of the POCSO Act, 2012,

This Court had called for the case-diary and the
statement of the victim girl recorded under Section 164
Cr.P.C. in a sealed cover.

Perused the 164 statement.



The accusation against the petitioner is of having conspired along with her son and abducting the minor daughter of the informant for the purpose of getting her married to her son.

The learned counsel for the petitioner has submitted that the petitioner was absolutely unaware of the relationship between the victim girl and her son. However, she later came to learn that both of them have, of their own volition, eloped for the purposes of marriage.

It appears from the records that the victim has returned who has disclosed her age to be 22 years. In her statement under Section 164 Cr.P.C., she has categorically stated that she eloped with the son of the petitioner of her own choice for marriage, without there being any inducement of any kind.

Considering the afore-stated stand of the victim girl, who is a major, the petitioner, above-named, in the event of her arrest or surrender before the court below



within a period of six weeks, is directed to be released on bail on her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Keoti P. S. Case No. 132 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

This petition stands allowed.

(Ashutosh Kumar, J)

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