

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33479 of 2020**

Arising Out of PS. Case No.-58 Year-2020 Thana- BATHNAHA District- Sitamarhi

RADHIKA DEVI W/o Chhedi @ Ranjit Kapri R/o village- Turkauliya, P.S.-  
Bathnaha, District- Sitamarhi.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

**Appearance :**

For the Petitioner : Mr. Devendra Kumar, Advocate.  
For the State : Mr. A.M.P. Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

4      13-07-2021      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State, through Video Conferencing.

The petitioner apprehends her arrest in connection with  
Bathnaha P.S. Case No.58 of 2020 registered under Sections  
366(A)/34 of the Indian Penal Code.

The accusation is that in the early morning of  
17/18.03.2020, the victim, the sister of the informant, aged  
about 16 years, had gone to attend the call of nature. At that  
time, Manjit Kumar on the point of pistol with the help of  
Chhedi alias Ranjit Kapri, Matwar Kapri and Radhika Devi  
(petitioner) kidnapped the victim, the sister of the informant,  
with a bad intention boarding on a jeep. On hearing the sound,  
when the informant came out of the house, the aforesaid persons



fled away.

Learned counsel for the petitioner submits that due to love affair, the victim, the sister of the informant, moved with Manjit Kumar, who is the brother-in-law of the petitioner, but with an ulterior motive, the informant has lodged the present case. Further submission is that it would appear from the F.I.R. that the victim, the sister of the informant, is said to be kidnapped when she had gone to attend the call of nature in the morning but the victim, in her statement, as recorded under Section 164 of the Code of Criminal Procedure, disclosed that in the midnight on the sound of knocking of the door, she opened the door, then Ranjeet Kapri, Manjit Kapri, Matwar Kapri and this petitioner forcibly got her boarded on the jeep and took her at Sitamarhi Station, where she and Manjit boarded on the train but others returned from there. Thereafter, Manjit took her to Delhi, where she was raped by him. After 3-4 months, Manjit took her to Ludhiana and, thereafter, her brother reached at Ludhiana and took her to Sitamarhi. Further submission is that the age of the victim, the sister of the informant, has been assessed as 20 years by the Medical Board, which would appear from Annexure-A to the supplementary affidavit filed on behalf of the petitioner. Further submission is that Manjit Kumar is



already in custody since 18.09.2020.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Bathnaha P.S. Case No.58 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

P.S./-

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