

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.745 of 2021

Arising Out of PS. Case No.-263 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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ALKA DEVI Wife of Kartik Sah Resident of Village - Phareh, P.S.-
Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-04-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for grant of
regular bail in connection with Sahebpur Kamal P.S. Case no.
263/2020 registered under sections 366A and 34 of the Indian Penal
Code.

As per allegation in the first information report, it is stated
by the informant that while she was giving food to her husband, all of
a sudden her 14 years old daughter disappeared and was not to be
found. She apprehends that some persons have enticed her away with
the intention of marriage.

It is submitted by learned counsel for the petitioner that
the petitioner who happens to be a lady has been falsely implicated in
the case. The minor daughter of the informant returned home and her



statement was recorded under section 164 Cr.P.C.. It is submitted that although the petitioner is named in the statement under section 164 Cr.P.C. but from reading of the same it would transpire that there is no mention therein that the victim was forcibly taken away by the petitioner or even after she accompanied the persons named therein, she was maltreated. It is submitted that the petitioner and the informant are relatives and they have dispute relating to path pending between them. The petitioner who is a lady is in custody since 15.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the daughter of the informant has returned back home together with the contents of the statement under section 164 Cr.P.C., the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sahebpur Kamal P.S. Case no. 263/2020 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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