

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.903 of 2021

Arising Out of PS. Case No.-343 Year-2020 Thana- DHAKA District- East Champaran

MINAKSHI DEVI @ MARACHHI DEVI, aged about 50 years, Gender-Female W/o Javahar Rai R/o village- Yadopur Bakhari, P.S.- Dhaka, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-05-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Dhaka P.S. Case No. 343 of 2020 registered for the offence punishable under Sections 363, 365, 34 of the Indian Penal Code.

As per the prosecution case, on 29.08.2020 daughter of the informant namely *Afsana Khatoon* had gone for natural call but she failed to return. During search informant knew from the



villager that accused persons named in the FIR had kidnapped his daughter in a Bolero. The informant has suspicion that his daughter might be married by changing her religion.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that the petitioner has done nothing with the affairs of the incidents. She is a resident of another village and only on suspicion she has been named. He further submits that the daughter of the informant had love affairs with one *Nawal Baitha*. She might be fled away with *Nawal Baitha*. He further submits that charge sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. On perusal of the case diary, it is found in para 6 of the case diary that the witness has not taken the name of the petitioner later on he submits that he know about the lady who is the mother of the co-accused *Guddu*. The petitioner has no criminal antecedent as has been mentioned in para 3 of the bail application and is languishing in custody since 14.09.2020.

Learned APP for the State opposed the bail petition.



Considering the fact that the petitioner is lady and the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Dhaka P.S. Case No. 343 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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