

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30514 of 2021**

Arising Out of PS. Case No.-385 Year-2016 Thana- NAGAR District- Vaishali

Shakuni Devi @ Shakuntala Devi Wife Of Harendra Sah R/O Repura Math,
P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv
For the Opposite Party/s : Mr.Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

7 22-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Town Hajipur P.S.Case No.385 of 2016, registered for the offence under Sections 366(A),120(B), 34 of IPC.

The informant filed complaint petition alleging therein that his minor daughter aged about 14 years was kidnapped. On 26.05.2016 his daughter received a call and thereafter she left her house. The informant informed the police and alleged that the petitioner and others kidnapped his daughter. On the basis of complaint petition filed by the



informant the present F.I.R. was lodged.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case. He further submits that as per FIR the date of occurrence was 26.05.2016 and the present complaint was filed on 31.05.2016 without any explanation of delay. He further submits that in the sessions trial of co-accused, namely, Sujit Kumar, the victim and mother of the victim did not support the prosecution case and they have been declared hostile and the petitioner is in custody since 03.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Exclusive Special Court POCSO-cum-A.D.J.-VI, Vaishali at Hajipur in connection with Town Hajipur P.S.Case No.385 of 2016 with 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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