

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31023 of 2021**

Arising Out of PS. Case No.-5 Year-2021 Thana- PANCHRUKHI District- Siwan

SAROJ DEVI Wife of Sri Rajendra Bhagat Resident of Village - Harpur, P.S.-
Pachrukhi, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 30-06-2022 Heard learned counsel for the parties.

The petitioner apprehends her arrest in a case registered for the offence under Sections 363, 366A, 370, 34 of the Indian Penal Code.

As per the prosecution case, on 01.01.2020, the minor daughter of the informant became traceless and informant suspects that this petitioner alongwith other co-accused persons kidnapped her daughter for the purpose of marriage.

Submission of the petitioner is that petitioner is aunt of the victim girl and both parties are *pattidars* and as such, she (petitioner) has been falsely implicated in this case. The victim girl in her statement recorded under Section 164 Cr.P.C. has not alleged any overt act against the petitioner. As a matter of fact, co-accused Dinesh Yadav and daughter of the informant (victim) was having love affairs and Dinesh Yadav was on



visiting terms to informant's house and petitioner has no concern with co-accused Dinesh Yadav. Petitioner is only alleged to have called the victim to her house.

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

Considering the nature of accusation and the fact that petitioner is lady and aunt of the victim, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged 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 A.C.J.M. - VI, Siwan in connection with Pachrukhi P.S. Case No. 5 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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