

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33622 of 2021

Arising Out of PS. Case No.-227 Year-2020 Thana- BHELDI District- Saran

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GURIYA DEVI W/o Mithilesh Mishra R/o village- Bedwaliya, P.S.- Derni,
District- Saran at Chapra, at present R/o Dighwara Khadi Bhandar Gali, P.S.-
Dighwara, District- Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-01-2022 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 Bheldi

P.S. Case No. 227 of 2020 registered for the offence under

Sections 363, 366, 366(A) and 34 of the Indian Penal Code.

The informant alleges that his minor sister has

been kidnapped by one Amresh Kumar Verma and his

associates.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, the petitioner has not been named in the F.I.R. but mere on suspicion, she has been made accused in this case in view of the fact that she happens to be the aunt of Puja Kumari, who is named in the F.I.R. As a matter of fact, the victim in her statement recorded under Section 164 Cr.P.C. has categorically stated that no one has kidnapped her. She has also stated that she went with one Amresh Verma and out of her sweet will she performed marriage with him. The petitioner, being a lady of no fault, is rotting in judicial custody since 27.12.2020.

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, above named, petitioner 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 J.M.-1st, Class, Chapra, Saran in connection with Bheldi P.S. Case No. 227 of 2020 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 canceled 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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