

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36221 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- BHELDI District- Saran

CHHATHIYA DEVI W/o Dwarika Mahto R/o village- Paiga Mitrasen, P.S.-
Bhaldi, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhaldi
P.S. Case No. 48 of 2021 registered for the offence under
Sections 363, 366 and 366(A) of the Indian Penal Code.

The daughter of the informant is abducted by the
petitioner and others.

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 happens to be maternal aunt of the co-
accused, Munna Kumar, against whom the victim was in love
affair. He further submits that the victim in her statement



recorded under Section 164 Cr.P.C. has categorically stated that she has solemnized marriage with the co-accused, Munna Kumar and out of their wed-lock the victim has been blessed with a baby. Therefore, no case under Section 366A of the Indian Penal Code is made out against the petitioner as she has not played any pivotal role in the alleged occurrence. The petitioner is rotting in judicial custody since 09.02.2021.

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, 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., Saran at Chapra in connection with Bheldi P.S. Case No. 48 of 2021 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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