

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26667 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- AMAS District- Gaya

Rinku Devi W/o Guddu Yadav R/o village- Chandi Asthan, P.S.- Amas,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Amas P.S. Case No. 144 of 2020 registered under Section 366A of the Indian Penal Code.

The petitioner's prayer for was earlier rejected on 23.07.2021 in Cr. Misc. No. 13211 of 2021.

Learned counsel for the petitioner submits that the petitioner (lady) has now remained in custody for more than two years and three months. The deposition of the victim under



Section 164 Cr.P.C does not disclose that the victim had been taken away by force and also does not disclose any exploitation of the victim so as to sustain the allegations. The petitioner also has no criminal antecedents.

For considering the submissions, records of Cr. Misc. No. 13211 of 2021, which have been placed along with this case, have been referred to by the parties wherein victim's deposition under Section 164 Cr.P.C has been enclosed as Annexure-2.

Learned APP submits that from the deposition, it is clear that it is the petitioner, who taking advantage of cordial relations with the victim has allured her away from her family and taken her outside the State.

Considering the rival submissions, period of custody as also the fact that the petitioner is a lady having no criminal antecedents, this Court is inclined to allow the petitioner's prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sherghati (Gaya) in Amas P.S. Case No. 144 of 2020, subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

Copy of the deposition under Section 164 Cr.P.C may be placed in the record of the instant case.

(Madhuresh Prasad, J)

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