

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33598 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Siajanki Devi @ Sijanki Devi W/o Sanjay Paswan R/o village- Sahdullahpur,
P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Hajipur Sadar P.S. Case No. 136 of 2022 registered for the offences punishable under Sections 366A,365 of the Indian Penal Code.

Allegedly, the victim who happens to be daughter of the informant went to the relative of the informant on 16th February, 2022 and from where the said victim was kidnapped by this petitioner and other co-accused persons on 19th February, 2022.



The main submissions advanced by the learned counsel Mr. Ravish Mishra for the petitioner are that the petitioner is a woman, against her there is no specific allegation, three months before the institution of the present case other case bearing P.S. Case No.269 of 2021 was lodged by the same informant with the same nature of allegation against co-accused Vikash Kumar and others and thereafter the victim was recovered and she recorded her statement before the Judicial Magistrate and denied the allegation made in the FIR Ganga Bridge P.S. Case No.269 of 2021 and accepted her matrimonial relationship with co-accused Vikash Kumar and also made allegation against her parental relatives and after the recording of the said statement, the so-called victim went with her father from the Court and the victim's father sworn his undertaking before the Court concerned on 16th February, 2022 and it is unbelievable that just three months after the giving of said undertaking the daughter of the informant was again kidnapped by the accused persons in the present case.

Learned counsel appearing for the informant and Learned APP Ms. Asha Kumari appearing for the State has vehemently opposed the bail prayer and submitted that the victim has not been recovered and the accused persons of this



case had committed the same nature of offence twice with the victim.

Having regard to the facts and circumstances of this case and mainly taking into account the facts that the present petitioner is a woman and against her there is no specific allegation and in the earlier case lodged by the victim's father with the same nature of allegation, the so-called victim did not make any allegation against the accused persons of that case and accepted her matrimonial relationship with co-accused Vikash Kumar of the present case, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the 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 the concerned Court in connection with Hajipur Sadar P.S. Case No.136 of 2022.

(Shailendra Singh, J.)

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