

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51992 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- BISFI District- Madhubani

MADHU KUMARI Daughter of Hari Mandal Resident of Village - Raghauli,
P.S. - Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

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

Allegedly, daughter of the informant has been taken away by one Amit Mandal in connivance of the petitioner and others and when the informant went to enquire about her daughter from the accused persons, the petitioner and others



abused her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Amit Mandal. It is submitted that the statement of the victim was recorded u/s 164 Cr.P.C., in which, she has stated that she married with the brother of the petitioner and is happily living with him. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner is involved in the alleged offence. It is further submitted that the age of the victim was recorded as 19 years in her statement u/s 164 Cr.P.C. but as per the medical assessment, her age has been assessed as 17 years, as such, she is a minor.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for grant of anticipatory bail on behalf of the above named petitioner is rejected.

However, petitioner is directed to surrender before the



learned Court below and seek regular bail and the learned Court below would pass the order, in accordance with law, considering that there is no specific overt act against the petitioner and statement of the victim was in support of the petitioner's brother.

Accordingly, the instant application is disposed of.

(Anjani Kumar Sharan, J)

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