

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47670 of 2022**

Arising Out of PS. Case No.-58 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Phuljhari Devi W/o Birendra Sah Resident of Village - Bindvasani, P.S.-
Chhauradaon (Mahuawa), District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Informant : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Chhauradano (Mahuawa) P.S. Case No. 58 of
2022 registered for the offences punishable under Sections 323,
341, 342, 366A, 385, 34 of the Indian Penal Code. She is in
custody since 10.03.2022. The petitioner has got no criminal
antecedent.

As per the prosecution story, the informant alleged
that while her daughter had not returned from the shop, she
searched of her whereabouts and came to know that a boy, who



was residing of her neighbour village namely, Ramjinish Kumar has kidnapped her daughter, thereafter she went to the house of said Ramjinish Kumar but all the accused persons started marpit and refused to return her daughter and also demanded Rs. 5 Lakhs for release of her daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and she has falsely been implicated in this case. Learned counsel submits that petitioner is gotiah of said Ramjinish Kumar. It is submitted that the petitioner is in custody in connection with this case since 10.03.2022.

Learned counsel for the informant has opposed the prayer for bail of the petitioner saying that the girl is minor.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner is said to be the gotiah of the boy namely, Ramjinish Kumar and allegation against whom is taking away the victim girl with an intention to marry. There being no specific allegation against the petitioner and the petitioner is in custody since 10.03.2022 and in this case the charge-sheet has already been filed, this Court directs release of the petitioner



above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Motihari in connection with Chhauradano (Mahuawa) P.S. Case No. 58 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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