

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49412 of 2022

Arising Out of PS. Case No.-177 Year-2002 Thana- JOGAPATTI District- West Champaran

NEELAM KUMARI @ NEELAM DEVI D/o Suresh Chandra Mishra, W/o
Shri Purushottam Mishra Resident of Dhanwatiya, P.S.- Yogapatti, at present
resident of Kangli Mathiya Kathiya, P.S.- Kangali, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murli Dhar, Adv.

For the Opposite Party/s : Mr.Surendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends her arrest in a case registered for
offence punishable u/s 363, 366-A and 376 of IPC.

As per allegation, this petitioner and other co-accused
kidnapped daughter of the informant.

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 due to land dispute. No
such occurrence, in the manner as alleged, has ever taken place.
It is further stated that victim herself went away from her



residence with co-villager of the petitioner against the wishes and desires of her parents. The police after investigation submitted final form showing the petitioner innocent but the Court below took cognizance against the petitioner. The similarly situated co-accused have been granted anticipatory bail. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Yogapatti P.S. Case No.177 of 2002, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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