

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61117 of 2021**

Arising Out of PS. Case No.-840 Year-2020 Thana- KHAGARIA District- Khagaria

Nutan Devi W/O Anil Kumar Singh R/o village- Ushraha, Post- Dumri, P.S.-
Beldaur, District- Khagaria, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 11-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in Khagaria P.S.
Case No. 840 of 2020, registered for the offences punishable
under Sections 379, 323 and other allied sections of the Indian
Penal Code.

Prosecution case in brief is that on the alleged date
and time of occurrence, this petitioner along other FIR named
persons with 35-40 persons unknown entered into the house of
informant's sister. All the accused persons assaulted his sister
and damaged the household articles and also took away his wife
Kriti Kumari.

It is submitted that petitioner is mother Kriti Kumari
who is alleged to have kidnapped by the informant (Sushant



Kumar). As a matter of fact informant and his family kidnapped the daughter of petitioner in which the statement of Kriti Kumari was recorded under Section 164 Cr.P.C and in her statement she has made specific allegation that while she was going to MaheshKhut her maternal home for filling up form. In the meantime, informant who was known to her rangd her on mobile and called her to come to Khagaria where she went. She further stated that when reached there, informant offered her tea and after taking the tea she became unconscious when she regained her consciousness she found herself in a temple where informant and his relative were also present and against her will informant married with her. There is no eye-witness of the occurrence. In fact, the informant kidnapped the daughter of petitioner and married her without her consent upon which, maternal grandfather of Kriti Kumari has lodged a case bearing Khagaria PS Case No. 846 of 2020 on 10.11.2020. In retaliation, this false and fabricated case has been lodged. Petitioner is lady and claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be



enlarged 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 learned Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 840 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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