

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52191 of 2022

Arising Out of PS. Case No.-452 Year-2020 Thana- BAKHARI District- Begusarai

1. Kavita Devi Wife of Shambhu Das R/O Village - Mahadeo Chak Ward No.-1, P.S.- Bakhri, District- Begusarai
2. Reena Devi Wife of Mangal Das R/O Village - Mahadeo Chak Ward No.-1, P.S.- Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Shamra, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek bail in connection with Bakhri
P.S. Case No. 452 of 2020 registered for the offence under
Section 365 of the Indian Penal Code.

The petitioner no.1 namely, Kavita Devi, is named in
the F.I.R. and is in custody since 16.07.2021, whereas petitioner
no.2 is not named in the FIR and she is also in custody since
16.07.2021.

The allegation against both the petitioners is to kidnap



the minor daughter of the informant, to be secretly and wrongfully confined.

Learned counsel appearing on behalf of the petitioners submitted that both the petitioners have falsely been implicated in the present case due to neighborhood dispute and differences and from the bare perusal of the statement of victims as recorded under Section 164 of the Cr.P.C., no case of kidnapping is made out against both the petitioners. It is further submitted that both victims went on their own to home at Patna, as they were having friendly relation with one Dharmbir Kumar Mahto. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of kidnapping is not available against both petitioners, as per statement of victims as recorded under Section 164 of the Cr.P.C., where both the petitioners are lady coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to



be released on bail in connection with Bakhri P.S. Case No. 452 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Begusarai/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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