

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54455 of 2022

Arising Out of PS. Case No.-330 Year-2022 Thana- AMARPUR District- Banka

ANITA DEVI Wife of Sanjay Sharma R/V- Laungain, P.S- Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 363,
366(A)/34 of the Indian Penal Code, in connection with
Amarpur P.S. Case No. 330 of 2022.

As per the prosecution story, the informant alleged
that the petitioner herein along with her daughter and others
took away his minor daughter for purchase of some articles in
the market but when the victim girl failed to return, he
contacted her, but was abused and being worried, this FIR was
lodged.

Learned counsel for the petitioner submits that her



statement before the police upon recovery was that she was regularly scolded by her parent for not studying and fed up with her parent, she left with the petitioner to her daughter's home. However, learned counsel submits that subsequently she changed her statement under section 164 of the Cr.P.C. He submits that ultimately the lady has to face the trial and is in custody since 25.6.2022 (as stated in para-13 of the bail application) and she do not have any criminal antecedent.

Considering the aforesaid facts as well as the submission put forward by the petitioner and as rightly been pointed out that ultimately she has to face the trial, is in custody since 25.6.2022, charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in in connection with Amarapur P.S. Case No. 330 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member of the petitioner who shall provide official document to show her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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