

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69283 of 2021

Arising Out of PS. Case No.-184 Year-2021 Thana- BHAGWANPUR District- Vaishali

LALITA DEVI Wife of Ram Shankar Sharma Resident of Village- Sahtha,
P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2022 Heard learned counsel for the parties through video conferencing in view of the COVID 19.

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

The petitioner is in judicial custody in connection with Bhagwanpur P.S. Case No. 184 of 2021 for the offence registered under Sections 363, 366(a) and 34 of the Indian Penal Code.

As per the allegation, the informant's daughter, namely, Rizwana Khatun got missing and when they enquired, it came to notice that the petitioner herein along with her son, namely, Sunny Kumar and his friend, namely, Sagar Kumar has kidnapped her with an intention to marry. Further allegation against accused, Rajesh Kumar is that he also cooperated in the



matter. Subsequently, the girl was recovered and she made a statement under Section 164 of the Cr.P.C. in which she has stated that she gone with her own with Sunny Kumar.

Be that as it may, the petitioner is the mother of Sunny Kumar and it has been submitted by the learned counsel for the petitioner that she had nothing to do with the elopement of her son with the said victim girl. She further submitted that only because she is the mother of the said Sunny Kumar against whom allegation of taking away the victim girl for the purpose of marriage has been levelled, she has been implicated in this case and is in jail since 26.08.2021 (as stated in paragraph-13 of the bail application).

Considering the aforesaid fact that she is the mother of the accused, Sunny Kumar against whom the main allegation of elopement with the victim girl is levelled, she is in jail since 26.08.2021 and charge sheet stands submitted, this Court is inclined to grant him 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 Additional Chief Judicial Magistrate- I, Vasishali at Hajipur in connection with Bhagwanpur P.S. Case No. 184 of 2021, 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 his/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 reasons will entail his cancellation of bail by the Trial Court itself;

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

With the aforesaid observations, this bail application is allowed.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

