

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8479 of 2023**

Arising Out of PS. Case No.-475 Year-2021 Thana- SARAIYA District- Muzaffarpur

Sunaina Devi Wife Of Late Ravindra Sahni R/O Village- Rewa, Basantpur,
P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 20.11.2022, in connection with Saraiya P.S. Case No. 475 of 2021, F.I.R. dated 04.07.2021 registered for the offences punishable under Sections 365, 366/34 of the Indian Penal Code.

The prosecution case, in short, is that on 19.06.2021 at 11:00 P.M. accused persons including the petitioners are alleged to have kidnapped the informant's daughter along with minor grand daughter.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case due to admitted land dispute



between the parties. He further submits that one of the co-accused Jeet Narayan Sahni who is co-sharer to the land in dispute has filed a Title Suit No. 46 of 2021 against the informant and his family members and due to this reason the petitioner and other co-accused persons have ben implicated in the present false and fabricated case. He further submits that co-accused Jeet Narayan Sahni has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 14.11.2022 passed in Cr. Misc. No. 26587 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.11.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 4th, West, Muzaffarpur in connection with Saraiya P.S. Case No. 475 of 2021, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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