

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12377 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- EKANGARSARAI District- Nalanda

SITAMANI DEVI Wife of Arun Kumar @ Arun Prasad R/v- Dhurgawn,
Mahmadpur, P.S.- Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends her arrest in connection with Ekangarsarai P.S. Case No.97 of 2022, registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

Accusation against the petitioner and other co-accused persons is of kidnapping the son of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioner.



Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner by submitting that statement of the victim was recorded under Section 164 Cr.P.C. in which he has supported the prosecution case.

Considering the fact that victim has supported the prosecution case in his statement recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection considering the fact that petitioner is a lady.

(Anjani Kumar Sharan, J)

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