

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20203 of 2023

Arising Out of PS. Case No.-422 Year-2022 Thana- MAIRWAN District- Siwan

ASHA DEVI @ AASHA DEVI Wife of Fulchand Ram R/V- Navakatola
Mairwa, PS- Mairwa Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ram Sandesh Roy, Advocate
For the Opposite Party/s :	Mr. Arun Kumar Singh, A.P.P.
:	Mr. Prabhakar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends her arrest in a case registered for the offence punishable under Section 365 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case in which police after investigation submitted Final Form in her favour. It is next submitted that from bare perusal of the allegation as alleged in the FIR it would manifest that informant has alleged that her elder sister Mina Devi was kidnapped and sold by the petitioner on 25.06.1998. Learned counsel for the petitioner submits that the date of occurrence 25.06.1998 and the FIR came to be



instituted in the year 2022 i.e., after more than 25 years of the occurrence that in itself demonstrates the falsity of the allegation.

Learned A.P.P. for the State along with learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submissions of the learned counsel for the petitioner with regard to delay in instituting the FIR.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mairwan P.S. Case No. 422 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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