

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38315 of 2023

Arising Out of PS. Case No.-391 Year-2022 Thana- SARAI District- Vaishali

PARBATIYA DEVI @ REENA DEVI wife of Vijay Rai Village- Mansurpur
P.S- Sarai Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar,Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 08.05.2023 in connection with Sarai P.S. Case No. 391 of 2022, F.I.R. dated 03.12.2022 registered for the offence punishable under Sections 363,365/34 of IPC.

3. The prosecution case, in short, is that on 19.11.2022, accused persons including the petitioner are alleged to have kidnapped the daughter (the victim)of the informant for the purpose of marriage.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case on the ground that



the petitioner is mother of the co-accused, Nitish Kumar and in fact the victim was in love with the son of the petitioner and as per 164 Cr.P.C. statement of the victim the son of the petitioner has solemnized the marriage with the victim and there is no allegation against the petitioner in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.05.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Sarai P.S. Case No. 391 of 2022, with the following conditions:-

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



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

(III) 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 his criminal antecedent, 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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