

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39769 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- NAYAGAON District- Begusarai

Rupam Devi Wife Of Santosh Paswan Resident Of Village Godhna Simapar,
P.S. -BHAGWANPUR, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 21.04.2023 in connection with Nayagaon P.S. Case No. 57 of 2022, F.I.R. dated 08.08.2022 for the offences punishable under Section 366A of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons took away the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is Aunt (Maternal) of the co-accused, namely, Manish Kumar. He further submits that there is no acquisition against the petitioner



rather there is acquisition against the co-accused person that he has performed the marriage with the victim and at best the petitioner was present at the time of marriage. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.04.2023.

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

6. Considering the aforesaid facts and circumstances, 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 the learned Judicial Magistrate 1st Class, Begusarai in connection with Nayagaon P.S. Case No. 57 of 2022, subject to 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 her absence on two consecutive dates without sufficient reason, his 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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