

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57139 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- FATUA District- Patna

Rekha Devi Wife Of Mohit Das Resident Of Village-Maksudpur, Police
Station-Fatuha, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj

For the Opposite Party/s : Mrs.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A and 34 of the Indian Penal Code.

3. As per prosecution case, the allegation is that the informant's daughter went to attend the classes and failed to return. On next day, informant received that she has been taken away to his home by one Monu Kumar Das. Further alleged that this petitioner along with several other co-accused persons abducted the daughter of the informant for the purpose of marriage and wrongdoings.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. She has



falsely been implicated in this case only because she is mother of the main accused. There is delay of 48 days in lodging the FIR without explaining the delay. It is further that there is no specific overt act against the petitioner rather there is love affairs between the petitioner's son and informant's daughter. It is also submitted on behalf of the petitioner that the girl(informant's daughter) has returned along with Monu Kumar Das and she has made categorical statement that she went with him and wants to live with Monu Kumar Das, son of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide order dated 31.08.2023. in Cr. Misc. No. 57345 of 2023. Moreover, the petitioner is languishing in judicial custody since 18.01.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts that petitioner being a lady and her period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fatuha P.S. Case No. 52 of 2023 on furnishing



bail bond of Rs.10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of learned J.M. 1st Class,
Patna City, Patna.

(Sunil Kumar Panwar, J)

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