

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59553 of 2022

Arising Out of PS. Case No.-136 Year-2021 Thana- KESARIA District- East Champaran

PRABHA DEVI W/O - Sandesh Kumar R/O Vill- Kijirpura, Ward No- 4, P.S-
Kesariya, Distt- East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 06-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within a
period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in connection
with Kesariya Case No. 136 of 2021 registered for the offences
punishable under Sections 363 and 365 of the Indian Penal Code.

As per the prosecution case, the son of the informant
had been working as a driver of the tractor of co-accused Sandesh
Kumar for last two years. The son of the informant was traceless
from 26.03.2021. It is further alleged that the co-accused persons
including the petitioner used to threaten the informant's son of dire
consequences. It is further alleged that the informant suspected
that his son was abducted and murdered by all the accused
persons.



Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. The petitioner is a house wife. Being wife of the co-accused person, the name of the petitioner has been dragged in the present case. The petitioner is a lady. The petitioner has clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of her arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Motihari, East Champaran in connection with Kesariya Case No. 136 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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