

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69098 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- CHAUTHAM District- Khagaria

SUNITA DEVI W/O SURESH CHAUDHARY RESIDENT OF VILLAGE-
CHAUTHAM (DIH TOLA), P.S.-CHAUTHAM, DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends her arrest in connection
with Chautham P.S. Case No. 30/ 2023 dated 01.02.2023
registered for the offence(s) punishable under Section(s) 366A
read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a lady having
fair and clean antecedent and the allegation levelled in the FIR
is completely false and the same has been made only on the
basis of suspicion and the so called victim has been recovered
in fact, she resided in her uncle's house and wanted to marry the
co-accused, Raushan Kumar and when the victim's proposal
was refused, thereafter FIR of the instant matter was lodged



against the petitioner and her family members and as per FIR, the victim went missing on 18.12.2022 but the FIR was lodged after delay of 13 days on 01.02.2023 and no proper explanation was given, regarding the said delay.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner is a lady and the alleged occurrence of kidnapping is stated to have taken place on 18.12.2022 but the FIR was lodged on 01.02.2023 and regarding said delay there is no proper explanation which goes in favour of the accused, in my opinion, in the said circumstances, petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Chautham P.S. Case No. 30/ 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

BKS/-

U		T	
---	--	---	--

(Shailendra Singh, J)

