

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67211 of 2022**

Arising Out of PS. Case No.-807 Year-2022 Thana- SUPAUL District- Supaul

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SMT. NIRDHAN DEVI @ NIRDHAN DEVI W/o Lal Mohan Sharma R/o
Village- Amha, P.S.- Supaul, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patla Kumari, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 02-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Supaul P.S.
Case No. 807 of 2022 dated 22.08.2022 registered for the offence
under Sections 365, 370, 379, 506 and 34 of the Indian Penal
Code.

The F.I.R. named accused persons are alleged to have
abducted the informant's wife on the point of gun and tried to sell
her in Uttar Pradesh for Rs. 200000/- in collusion with others. It
is also alleged that the accused persons have snatched the smart
phone and cash of Rs. 10,000/- and jewelry of the wife of the
informant.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and



has falsely been implicated in this case. He further submits that from bare perusal of the F.I.R., it transpires that the victim has been abducted by three persons, namely, Mukesh Sharma, Bimlesh Sharma and Amar Sharma on the point of gun. He further submits that though the petitioner was also alleged to have been involved in the alleged occurrence, but, in fact, she has not played any role in the alleged occurrence nor she committed any overt act with the wife of the informant. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.09.2022.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has categorically stated that the aforesaid three persons have abducted her on the point of gun. She has also stated that the petitioner is also involved in the commission of her abduction.

Considering the facts and circumstances of the case and also the fact that the petitioner is a lady of clean antecedent and the investigation has already been completed by the prosecution, let the, above named, petitioner 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



Chief Judicial Magistrate, Supaul in connection with Supaul P.S.
Case No. 807 of 2022 with the following conditions:-

(1) 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 canceled by the Court below.

(2) 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.

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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