

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73593 of 2022**

Arising Out of PS. Case No.-580 Year-2018 Thana- SARAIYA District- Muzaffarpur

1. UMESH RAI S/O Late Bhikhari Rai R/O Village- Manikpur, P.S- Saraiya, District- Muzaffarpur
2. Ranjan Kumar @ Madan Kumar S/O Umesh Rai R/O Village- Manikpur, P.S- Saraiya, District- Muzaffarpur
3. Mina Devi @ Phula Devi W/O Umesh Rai R/O Village- Manikpur, P.S- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      03-05-2023                      Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

At the outset, it is submitted that petitioner nos.1 and 2, namely, Umesh Rai and Ranjan Kumar @ Madan Kumar, were apprehended during the pendency of present anticipatory bail petition and, as such, prayer of their anticipatory bail becomes infructuous.

Accordingly, prayer of anticipatory bail of petitioner nos. 1 and 2 stands dismissed having infructuous.

Now, the present anticipatory bail petition is limited



only with petitioner no.3, namely, Mina Devi @ Phula Devi.

The accused petitioner no.3 is named in F.I.R. and apprehending her arrest in connection with Saraiya P. S. Case No. 580 of 2018 registered for the offences punishable under Sections 364, 366-A/34 of the Indian Penal Code.

The allegation against above named petitioner no.3 is to help his son, namely, Chandan Kumar, in kidnapping of minor daughter of the informant, aged about 14 years, along with other co-accused persons/family members, for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner no.3 submitted that implication of petitioner no.3 is being mother of the main co-accused, namely, Chandan Kuma, against whom thrust of allegation is available. It is further submitted that petitioner is a lady of clean antecedent.

Learned APP for the State opposes the prayer of anticipatory bail.

Considering the aforesaid facts and circumstances, as implication appears being mother of the main co-accused, where petitioner is a lady of clean antecedent, let above named petitioner no.3, namely, Mina Devi @ Phula Devi, in the event of her arrest or surrender before learned Court below within a



period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IVth, Muzaffarpur (West)/concerned Court, in connection with Saraiya P. S. Case No. 580 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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