

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76575 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- SARAIYA District- Muzaffarpur

Neelam Devi @ Rinku Devi wife Of Santosh Sah Resident Of Village-
Chhajan Gonu, Ps- Kudhani (TURKI Op), Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Saraiya P.S. Case No. 67 of 2023, dated 02-02-2023, instituted for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of kidnapping the daughter of the informant for the purpose for marriage.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Specific allegation is attributed against main accused, namely, Abhishek Kumar. Petitioner has been implicated in this case merely on suspicion as she is mother of the main accused. It is next submitted that the victim had eloped with her pass



books and ornaments so there is no question of forceful abduction by the petitioner. As per informant's statement, victim girl is aged about 17 years at the time of alleged occurrence. It is further submitted that there is delay of 5 days in lodging the FIR. The petitioner has no criminal antecedents, as per statement made in para 3 of the bail petition.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Saraiya P.S. Case No. 67 of 2023, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-4th (West) Muzaffarpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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