

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79014 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

Gudi @ Gudiya @ Ishwari Khatoon Wife Of Late Sahab Resident Of Village-
English Chichroun, Police Station- Akbarnagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending her arrest in a case registered for the offences punishable under Section 365 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, there is allegation against the petitioner that she kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is a widow lady. He submits that there is no specific overt act against the petitioner. He further submits that during course of investigation it has come that the informant's daughter always used to talk with two suspected mobile no.9641505559 and 8511053430 but the



police has not recorded C.D.R. of the suspected mobile. He submits that petitioner has three minor children and he is living with her children. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Akbarnagar P.S. Case No. 85 of 2022.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order considering this fact that petitioner is a widow lady and having three children.

8. Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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