

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27755 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- LALGANJ District- Vaishali

Shila Devi W/o- Late Harendra Sah R/o- Village- Keshopur, PS- Lalganj,
Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending her arrest in connection with Lalganj P.S. Case No. 04 of 2023, registered on 01.01.2023, for the alleged offence under Sections 365, 366/34 of the Indian Penal Code.

03. As per prosecution case, the daughter of the informant was forcibly kidnapped by co-accused Vinay Kumar, who fled away with her. The informant alleged that the petitioner and other members of the family of co-accused Vinay Kumar were part of the conspiracy under which, the daughter of the informant was kidnapped.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. The FIR in this case has been registered after much delay since the occurrence took place on 04.12.2022 and the FIR has been registered only on 01.01.2023, which shows deliberation and afterthought on part of the informant. There is no explanation for delay of 27 days. Learned counsel further submits that co-accused Vinay Kumar and the daughter of the informant were in love and they fled away on their own and the petitioner has been made accused in this case merely because she is aunt of the co-accused. The petitioner has no role in the alleged occurrence.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact about mere suspicion of informant about involvement of the petitioner with the strong possibility of false implication, let the petitioner above named, in the even of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S.



Case No. 04 of 2023, subject to the condition laid down under
Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a close relative of
the petitioners.
- (ii) The petitioners will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

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