

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42361 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- BAIRIYA District- West Champaran

Malawati Devi wife of Late Khakhan Prasad Village- Balua Rampurwa Police
station- Bairiya District- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Mohammed Arif , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 363 and 366(A) of the
Indian Penal Code .

3. As per the prosecution case , all the F.I.R., named
accused persons including this petitioner kidnapped minor
daughter of the informant for the purpose of marriage .

4. Learned counsel for the petitioner submits that
victim in her statement recorded under Section 164 Cr. P . C has
denied the prosecution case and has categorically stated that she
is in love with co-accused *Gulshan Kumar* and she on her own
will solemnized marriage with him after fleeing away from
parental house . So far as this petitioner is concerned, she has



falsely been implicated in this case because she happens to be mother of co-accused *Gulshan Kumar*. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the statement of the victim recorded under Section 164 Cr. P . C and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III Bettiah District West Champaran in connection with Bairiya P.S. case No. 103 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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