

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44598 of 2024

Arising Out of PS. Case No.-167 Year-2023 Thana- JHANJHARPUR District- Madhubani

Priyanka Devi @ Priyanka Kumari W/O Laxman Kumar R/O Village- Ward No.-06, Simari, Bakhtiyarpur, P.S- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Advocate
For the Opposite Party/s : Mr. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 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 Jhanjharpur P.S. Case No. 167 of 2023, registered on 06.09.2023 for the alleged offences under Section 363 & 366(A) of the Indian Penal Code.

03. As per prosecution case, the minor daughter of the informant left her house when she was scolded for not doing proper studies. Subsequently, the contact was made from two mobile numbers and the caller stated that the daughter of the informant was with them. The petitioner is stated to be the holder of one of the mobile numbers.

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

True fact of the case is that daughter of the informant eloped with someone and the informant has showed his suspicion that petitioner might be involved. The petitioner never called the informant or never told him that his daughter was kept at a place. The mobile number from which call is stated to be made is though in the name of the petitioner, it was used by her cousin Kareena who conveyed the message to the informant as per the F.I.R. Even if the said version of F.I.R. is taken to be true, it is not believable that a kidnapper would inform the father of the victim girl about the whereabouts of the kidnapped person. The petitioner has become a victim of circumstances. She is having no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and further considering possibility of false implication, let the petitioner above named, in the event 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) each with two sureties of the like amount each to the satisfaction of Court of learned A.C.J.M.-I,

Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 167of 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 petitioner.
- (ii) The petitioner 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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