

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43123 of 2024

Arising Out of PS. Case No.-14 Year-2023 Thana- MORO District- Darbhanga

Asha Devi W/O- Ram Ekabal Sahni Village- Tisidih, P.S.- Moro, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2024 Heard learned counsels for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 363, 366-A/34 of Indian Penal Code.

3. Prosecution case, in brief, is that while minor daughter of informant was on her way to school, all the F.I.R. named accused persons including this petitioner kidnapped her for the purpose of marriage.

4. Learned counsel appearing for the petitioner submits that specific accusation of kidnapping is against co-accused Shiva Kumar Sahni who has already been granted anticipatory bail by this Hon'ble Court *vide* order dated 03.05.2024 passed in Cr. Misc. No. 17463 of 2024. Petitioner



has been made accused in this case merely because she happens to be mother of co-accused Shiva Kumar Sahni. Moreover, victim in her statement, recorded under Section 164 of Cr.P.C., has denied the prosecution case and has stated that she was in love with co-accused Shiva Kumar Sahni and she left the house on her own sweet will. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering statement of the victim recorded under Section 164 of Cr.P.C. and the fact that co-accused Shiva Kumar Sahni has already been granted anticipatory bail, this application is allowed and it is ordered that the above named petitioner in the event of her arrest/surrender before the court below within a period of eight weeks from today, 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 Additional Chief Judicial Magistrate-II, Darbhanga in connection with Moro P. S. Case No. 14 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

