

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47926 of 2024

Arising Out of PS. Case No.-541 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

USHA DEVI W/O BAIKUNTH RAM R/O NAYI BUXAR, P.S- BUXAR
(T), DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Chandna, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Buxar (Muffasil) P.S. Case No. 541 of 2023 instituted for the offences under Sections 363, 365 of the Indian Penal Code and Section 5 of Immoral Traffic (Prevention Act), 1956.

3. Allegation against this petitioner is that she has enticed the niece of the informant and taken her, i.e., victim along with her with *malafide* intention.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that allegations levelled against the petitioner are false and concocted and there



is no connection between the victim and the petitioner. Learned counsel further submitted that, in fact, the petitioner had not kidnapped the victim. It has been submitted on behalf of the petitioner that the petitioner is an innocent lady languishing in jail since 20.12.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that victim, in her statement recorded under Section 164 of the Cr.P.C. has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, petitioner being lady, as also period of custody undergone by her, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar (Muffasil) P.S. Case No. 541 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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