

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56490 of 2024

Arising Out of PS. Case No.-318 Year-2014 Thana- DESARI District- Vaishali

Guriya Kumari @ Guriya Devi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends her arrest in connection with Desari P.S. Case No.318 of 2014 instituted under Sections 366 and 120B of the Indian Penal Code.

3. As per prosecution case, it is alleged that the wife of informant including their four-year child were kidnapped by two accused persons, namely, Asha Devi and Guriya Devi (petitioner) under a conspiracy with intention to force her for doing another marriage. It is further alleged that the accused persons had taken away a chain made of gold and cash of Rs.10,000/- from the box of the mother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a lady and at the time alleged occurrence, she



was 19 years old and it is improbable that the petitioner possessed any power or influence to induce the wife of the informant, who was a mature lady, to elope her and enter into a second marriage against her will. It is further submitted that the falsity of the present case would appear from the fact that the date of occurrence was 05.06.2014 but complaint case was filed on 30.09.2014 i.e. almost after four months and finally the F.I.R. was lodged on 31.12.2014. The allegations made against the petitioner are completely untrue. It is next submitted that similarly situated co-accused persons have already been granted anticipatory bail by a coordinate bench of this Court vide order dated 29.06.2021 passed in Cr.Misc.No.36590 of 2020. The petitioner has no criminal antecedent and she undertakes to cooperate in the investigation and the trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Vaishali at Hajipur in connection with Desari P.S. Case No.318 of 2014, subject to the



conditions as laid down in Section 438(2) of the Code of Criminal
Procedure, 1973.

(Sunil Dutta Mishra, J)

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