

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50448 of 2024

Arising Out of PS. Case No.-696 Year-2023 Thana- KHAGARIA District- Khagaria

Mala Devi Wife of Amit Sada R/O Vill.- Ghograha, P.s.- Gangaour, Dist.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 26-10-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Khagaria (Gangaur) P.S.Case No.696/23 registered for the
offences punishable under Sections 366(A)/34 of the Indian
Penal Code.

3. As per the allegation made in the FIR, the minor
daughter of the informant was kidnapped by the accused
persons including the petitioner. The specific allegation against
the petitioner is that she has taken away all the ornaments of the
victim and actively participated in committing wrong with her
along with other accused persons for 16 days.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and the



victim girl has been recovered. The statement as made by the victim recorded under Section 164 Cr.P.C. is tutored one. The petitioner had not participated in the alleged kidnapping of the minor daughter of the informant. The petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR against the petitioner, who has forcibly participated in kidnapping of the minor daughter aged about 15 years of the informant and took her to Ambala for participating in forceful wrong, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. However, the petitioner, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider her bail application on the same day and pass necessary order on the basis of material which has come in course of investigation without delay.

(Purnendu Singh, J)

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