

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59842 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- CHERKI District- Gaya

Asha Devi Wife of Sanni Kumar Resident of Village - Murarpur, P.S. -
Kotwali, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 18-10-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seek bail in connection with
Cherki P.S. Case No.11 of 2024 registered for the offence under
Sections 420, 494, 495/34 of the Indian Penal Code.

3. As per FIR, allegation against the petitioner
is that on 22.04.2024 Ram Kishore asked the informant to get
him married and in lieu of that the informant has to pay Rupees
75,000/-, thereafter, Ram Kishore sent photo of the girl on the
WhatsApp number of the informant and the photo of the girl
was appreciated and approved by the informant on 17.05.2024
and Rupees 40,000/- were given to Ram Kishore and rest
Rs.35,000/- were promised to be given on the date of marriage.



It is alleged also that the date for marriage was fixed on 18.05.2024 and on demand of Rupees 35,000/- were given to the accused Rajwanti Devi on the same date and only after that, marriage was performed. It is also alleged that later on, the informant came to know that the girl/woman, to whom he was married with, was already been married. It is further alleged that when the informant told her that you have cheated me, the girl told him that she will lodge a false case of kidnapping against the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioners have falsely been implicated in the present case. It is submitted that petitioner has no concern with the alleged occurrence as well as any money transaction. It is submitted that there is delay of one day in lodging FIR. It is submitted that admittedly marriage was performed after several meetings with the bride-girl. It is further submitted that petitioner was implicated in the present case on the basis of assumption, as she was present in the temple at the time of marriage of the informant. It is also submitted that not a single independent witnesses have supported the prosecution case, during course of investigation. It is next submitted that co-accused has already granted bail by the Co-ordinate Bench of



this Court *vide* order dated 19.08.2024 passed in Cr. Misc. No. 56629 of 2024. It is next submitted that petitioner is a lady of clean antecedent and she is in custody since 19.05.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and also considering that petitioner is a lady and co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 19.08.2024 passed in Cr. Misc. No. 56629 of 2024, let the petitioner, above named, are directed to be released on bail in connection with Cherki P.S. Case No.11 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya/concerned court.

(Ramesh Chand Malviya, J)

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