

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61136 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

Madhu Kumari D/o- Vijay Nut Resident of Village - Maghar, P.S. -
Bhagwanpur Hat, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 341, 363, 366A, 367, 368, 120B, 34 of the Indian Penal Code.

3. Petitioner along with other accused persons are said to have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific allegation against the petitioner. He submits that occurrence took place on 21.08.2022 but the FIR has been lodged on 26.08.2022 after delay of 5 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.



5. Learned APP for the State opposes the prayer for bail and submits that the statement of the victim has been recorded under Section 164 of the Cr.P.C. in which she has supported the prosecution case.

6. Considering the facts and circumstances of the case and the statement of the victim, I am not inclined to enlarge the petitioner on bail. Accordingly, her prayer for anticipatory bail is rejected in connection with Bhagwanpur Hat P.S. Case No. 199 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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