

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85406 of 2023

Arising Out of PS. Case No.-500 Year-2023 Thana- KANTI District- Muzaffarpur

Lakshami Devi Wife Of Kishun Sahani Resident Of Village- Kalwari
Fatehpur P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mithilesh Kumar, Advocate
For the Opposite Party/s	:	Mr.Rajendra Prasad Nat, APP
For the informant	:	Mr. Rajiv Kumar, Advocate

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

ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in Kanti P.S. case No. 500
of 2023 instituted for the offences under Sections 363, 364/34 of
the Indian Penal Code in which Sections 302, 120(B) I.P.C.
were added later on.

3. Prosecution allegation, in short, is that the daughter
of the informant left the house for natural call and thereafter did
not return. The informant suspects that the accused persons
might have kidnapped her daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case due to previous enmity. Earlier the husband of the informant namely Ganesh Sahani and others have kidnapped the minor daughter of the petitioner for which Kanti P.S. case No. 351 of 2018 was lodged in which the petitioner and her daughter deposed and just to create pressure, the present false case has been lodged. The petitioner is a lady. There is no eye witness to the alleged occurrence. The name of the petitioner has transpired merely on the basis of suspicion. Charge-sheet has been submitted in this case under Sections 363, 364, 302, 120B, 34 of the Indian Penal Code. The petitioner is in custody since 07.07.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant referring to paragraph 9 of the case diary submits that earlier the petitioner and her family members threatened the family of the informant

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, 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 Kanti P.S. case No.
500 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

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