

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85989 of 2023

Arising Out of PS. Case No.-790 Year-2023 Thana- MADHEPURA District- Madhepura

Kaliya Devi Wife Of Mahendra Yadav Resident Of Village - Bhajanpatti, P.S.
- Sourbazar, District - Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 363, 365, 366A, 386, 506 and 120B of the Indian Penal Code.

3. As per FIR, the informant alleged that the petitioner and co-accused persons abducted her niece due to ulterior motives.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is mother of main co-accused Raushan Kumar and due to which she has falsely been implicated in this present case. The petitioner has no concern with the alleged occurrence and there is no specific



allegation levelled against the petitioner. From perusal of the impugned order, the statement of the victim recorded under Section 164 of the Cr.P.C., wherein she has stated that 2-3 boys abducted her but she has not specifically stated about the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, she is languishing in judicial custody since 02.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody and being lady, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madhepura P.S. Case No. 790 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum Special Judge, POCSO, Madhepura.

(Sunil Kumar Panwar, J)

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