

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6649 of 2024

Arising Out of PS. Case No.-28 Year-2023 Thana- AMARPUR District- Banka

Meena Devi D/O Nawin Yadav R/O- Vill. Kumarpur, Ps Fullidumar, Dstt.-
Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Yadav, son of Vakil Yadav, resident of village Kumarpur, P.S.-
Fullidumar, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

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

ORAL ORDER

5 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the Case Diary. Earlier notices were
issued to O.P. No. 2 but the O.P. No. 2 refused to accept the
same. Hence, the notices were accepted to be validly served.

2. The petitioner seeks bail in Amarpur (Fullidumar)
P.S. case No. 28 of 2023 (G.R. Case No. 226 of 2023) instituted
for the offences under Sections 366(A) and 34 of the Indian
Penal Code.

3. Prosecution allegation, in short, is that while the
daughter of the informant left the house, the accused persons
including the petitioner took daughter of the informant on a
vehicle. The informant suspects that accused persons have



kidnapped his daughter for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. General and omnibus allegation has been made against the petitioner. There is no specific allegation against the petitioner. Specific allegation is attributed to co-accused Bhaskar Yadav. The petitioner is mother of co-accused Bhaskar Yadav. There is delay of five days in lodging the F.I.R. On recovery, the statement of the victim has been recorded under Sections 161 and 164 Cr.P.C. in which she has not supported the allegation made in the F.I.R. The victim has stated that she left the house on her own sweet will with Bhaskar Yadav and later married with him in a temple. There is nothing alleged against the petitioner. The medical board has assessed the age of the victim between 17-19 years.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and that no direct allegation attributed against 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 Amarpur (Fullidumar) P.S. case No. 28 of 2023 (G.R. Case No. 226 of 2023).

(Rudra Prakash Mishra, J)

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