

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3476 of 2024

Arising Out of PS. Case No.-349 Year-2022 Thana- ALOULI District- Khagaria

Marni Devi, W/o Gulab Yadav, resident of village- Bahadurpur, Ward No. 5,
Police Station- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending her arrest in connection with Alauli P.S. Case No. 349 of 2022 registered for the alleged offences under Sections 366(A)/34 of the Indian Penal Code.

3. As per prosecution case, co-accused Chhotu Kumar with the help of the petitioner enticed away minor daughter of the informant with an intention to marry her.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the sister of co-accused Chhotu Kumar and allegation is not believable. The FIR has been lodged after a delay of eight days and it shows fabrication on part of the



informant against the petitioner. The petitioner and the informant are neighbours and they have not good relationship with them. The daughter of the informant was having love affair with some boy of the same village and she fled away with him and this fact is in the knowledge of the informant. The petitioner has been made accused in this case with malafide intention. Moreover, the petitioner has no concern with the daughter of the informant and the petitioner lives at Delhi with her family. There is no cogent material against the petitioner in the investigation by the police. The co-accused Chhotu Kumar is already in custody. The petitioner, who is a lady, is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner, who is a lady and further considering the possibility of false accusation, let the petitioner, above named, in the event of her arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Alauli P.S. Case No. 349 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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