

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1601 of 2024

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHUA District- Vaishali

Priyanka Kumari, D/o-Siya Ram Paswan, Resident of Village-Mansurpur Milky, P.S.-Mahua, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Mahua P.S. Case No.10 of 2021 registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that she was found involved in kidnapping of the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Learned counsel submits that there is no specific allegation against this petitioner.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears that this is a case of the year 2021 wherein police has after investigation submitted a charge-sheet under Sections 366(A)/302/34 IPC against the three accused, namely, Rasili Kumari, Rajkumar Paswan and Sangeeta Devi, but the investigation against the petitioner is still pending, the petitioner is a 20 years old lady having a three months old child in her lap, in the circumstances, this Court directs that in case of her arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali, Hajipur in connection with Mahua P.S. Case No. 10 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the

acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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