

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3545 of 2025

Arising Out of PS. Case No.-468 Year-2019 Thana- MAHUA District- Vaishali

Nilam Devi @ Nilu D/O Ganesh Singh Present R/at Vill.- Bhadwas, P.S.-
Mahua, Distt.- Vaishali. Permanent Address R/at Vill.- Arniya, P.S.- Jandaha,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-01-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Mahua P.S. Case No. 468 of 2019 (Sessions Trial No. 533 of

2024) registered for the offences under Sections 363 and

364 of the IPC.

3. The petitioner is named in the F.I.R. and is in

custody since 14.08.2023.

4. The allegation against the petitioner is to kidnap

the minor daughter of the informant aged about six months at

the time of occurrence.

5. Learned counsel appearing on behalf of the



petitioner submitted that apparently from the facial perusal of FIR, it appears that informant and petitioner both are cousin sisters and child was given to this petitioner under consent. From FIR, it nowhere suggests that occurrence is of kidnapping rather, it suggests on its face that this case was lodged when child given to the petitioner by informant was not returned to her within expected time. It is submitted that in view of aforesaid fact no case of kidnapping as lodged is made out against this petitioner. While concluding the argument it is submitted that petitioner is a lady of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the aforesaid facts and circumstances as mentioned above and by taking note of facts as face of FIR *prima-facie* suggests that minor daughter of the informant given to this petitioner out of consent, being cousin sisters, coupled with the fact as petitioner is in custody since



14.08.2023, being a lady of clean antecedent, accordingly, petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 468 of 2019 (Sessions Trial No. 533 of 2024) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Trial Court, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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