

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5493 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- BALIYA District- Begusarai

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Anjali Devi, W/O Gajendra Pandit, R/O village- Kaswa, P.S - Baliya, District
-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Baliya P.S. Case No. 322 of 2024, registered for the alleged offence under Sections 137(2)/87 of BNS, 2023.

03. As per prosecution case, the wife of the informant left her house and did not return. The name of the petitioner and other co-accused persons came in the written report of the informant for kidnapping his wife.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no role in the whole occurrence and she has been named in this case with ulterior motive. The victim lady recorded her statement under Section 180 BNSS wherein she stated that she herself left her house and no one has



kidnapped her. She further stated that her husband abused and assaulted her and, for this reason, she left her house and went to the house of her sister. However, in her statement recorded under Section 183 BNSS, the victim lady stated that she was persuaded by the petitioner and went with her to Uttar Pradesh where she started working in the factory, but she expressed her desire to live with her brother. This shows the petitioner has no role in the occurrence. The learned counsel further submits that moreover FIR has been lodged after much delay as for the occurrence dated 25.09.2024, the FIR has been lodged on 05.10.2024 without any satisfactory explanation. The victim girl left her house due to bad behaviour of the informant and the informant due to previous enmity with mother of the petitioner falsely implicated the petitioner, her mother and her husband. The petitioner, who is a lady, is in custody since 21.10.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

05. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the voluntary nature of allegation and further considering the delay



in lodging the FIR and also considering the submission of charge sheet, period of custody of the petitioner along with her clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/court concerned, in connection with Baliya P.S. Case No. 322 of 2024, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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