

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13136 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Gudiya Devi @ Puja D/O-Lallan Bind Resident of Village- Dandwa, P.S.-
Mohania, Distt.- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kudra
P.S. Case No. 197 of 2024 instituted for the offences under
Sections 363, 365, 34 of the Indian Penal Code and later on
added Sections 370, 120(B) of the Indian Penal Code.

3. As per prosecution case, two unknown miscreants
abducted the Informant's son aged about 1½ years and fled
away on a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to enmity and dirty village politics. He further submits that



the police raided the house of petitioner and recovered the child and arrested the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner mainly submits that petitioner has taken the child from 'Chintu Prasad' and another in good faith and she was unaware that child was abducted. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 25.07.2024 without any rhymes or reason. Other co-accused have been granted bail by this Court vide orders dated 31-01-2025 & 07-02-2025, passed in Cr. Misc. No. 6467 of 2025 & Cr. Misc. No. 7927 of 2025, respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Kudra P.S. Case No. 197 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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