

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17762 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- Chhaudahi District- Begusarai

Mamta Devi W/o Doman Yadav Resident of Vill.- Maheshpur Dumari tola
Parora, P.S.- Chhaurahi, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending her arrest in connection with Chhaurahi P.S. Case No. 117 of 2024 registered for the alleged offence under Sections 96, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the minor daughter of the informant was kidnapped and the informant named the petitioner and her co-accused husband, who along with other unknown miscreants kidnapped her daughter.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner is the aunt of the victim girl and in course of investigation it has come that brother of the petitioner took away



the victim girl to unknown place. Only allegation against the petitioner in statement of the victim girl recorded under Sections 180 and 183 of BNSS is that she used to say her that why she used to work so hard and to leave the place. But nowhere it has been mentioned that the petitioner was involved in the kidnapping the daughter of the informant. In fact, the victim girl was having love affair with an unknown boy and on the alleged date she herself left her parental home and thereafter, returned on her own. Learned counsel further submits that in the background of some land dispute, the petitioner and her husband have been falsely implicated in this case. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner of kidnapping the minor daughter of the informant.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and further considering the statement of victim girl absolving the petitioner and also considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his 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/-



(Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Chhaurahi P.S. Case No. 117 of 2024, subject to the condition laid down under Section 482(2) of BNSS and other 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.

(Arun Kumar Jha, J)

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