

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25348 of 2025

Arising Out of PS. Case No.-586 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

Maya Devi, Wife of Laxman Ram, resident of Village-Belkhana Begampur
Raza Bazar, P.S-Motihari Town, Dist-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Chandan Kumar, son of Madan Sahani, resident of village-Raza Bazar,
Paschimi Gopalpur, P.S.-Nagar, Dist- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 30-07-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Motihari Town P.S. Case No.586 of 2024 registered for
the offences punishable under Sections 84, 87, 143(2) and
3(5) of the Bhartiya Nyay Sanhita (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is
in custody since 13.09.2024.

4. Allegation against the petitioner is to sell the
married sister of the informant namely, Babita Devi aged
about 35 years along with other named accused persons and
for the said purpose, she was kidnapped from her home on



27.07.2024 somewhere between 9-10 A.M.

5. It is submitted by learned counsel appearing for the petitioner that the victim, who is the sister of the informant aged about 35 years is already married and, therefore, the allegation that she was kidnapped as to sell for the purpose of marriage not appears convincing. It is pointed out that the recovery was made from the house of one Banka Sah, who is not related with the petitioner. It is pointed out that in fact the petitioner is a neighbour of the informant and in the background of property dispute, present false case was lodged by making married sister instrumental. While concluding argument, it is submitted that the present FIR in issue was lodged as an afterthought after one and half months of the occurrence, where investigation of this case is already completed, for which, charge-sheet has already been submitted and, as such, there is no chance of tampering with the evidence. The petitioner is a lady of clean antecedent.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by



taking note of fact as FIR in issue was lodged with delay of one and half months, without any explained reason, where it appears from FIR itself that the victim is a married woman, coupled with the fact that charge-sheet has already submitted, where petitioner is lady of clean antecedent remains in custody since 13.09.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No.586 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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