

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35130 of 2025**

Arising Out of PS. Case No.-210 Year-2023 Thana- DELHA District- Gaya

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Kaushalaya Devi W/o Chansur Paswan R/o Mohalla- Bageswari Mandir, P.S.-
Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Akbar Ali, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Delha P.S. Case No. 210 of 2023 lodged on 09.08.2023, for
the offence punishable under Sections 366(A) & 34 of the
Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
four named accused persons including the present petitioner
alleging that they have kidnapped the informant's daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that only allegation against the petitioner is that she has



helped the accused persons in kidnapping the informant's daughter. Counsel submits that on previous occasion, case diary has been called for and statement of victim has been recorded under section 164 of the Cr.P.C. Counsel submits that the victim girl has been recovered and she has narrated her statement under Section 164 of the Cr.P.C. Counsel further submits that the petitioner has no criminal antecedent and she is ready to fulfill all the conditions whatsoever shall be imposed upon her.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from bare perusal of statement of the victim recorded under Section 164 of the Cr.P.C, it transpires that the age of victim is 23 years, as such, section 366(A) of the Indian Penal Code is not applicable. Counsel further submits that in the statement U/s 164 of the Cr.P.C., the victim girl has not stated anything against the present petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the



satisfaction of A.C.J.M.-IV, Gaya, in connection with Delha P.S.
Case No. 210 of 2023, subject to the conditions as laid down
U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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