

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34668 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- MADHEPUR District- Madhubani

Hira Devi W/o- Hare Ram Mukhiya Village- Bhakhrain Ps- Madhepur Dist-
Madhubani

... .. Petitioner

Versus

1. The State of Bihar
2. Rubi Devi W/o- Bindeshwar Mukhiya, R/o Village- Bhakhrain, P.S.-
Madhepur, Dist.- Madhubani

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Adv.
For the State : Mr. Surendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Madhepur P.S. Case No. 150 of 2024, G.R. No. 1664 of 2024 registered for the offences punishable under Sections 137(2), 96, 115, 76, 352, 351(2), 3(5) of B.N.S.

3. As per prosecution case, there is allegation against the petitioner who is said to have concertedly helped the co-accused persons to kidnap the minor daughter of informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and she has falsely been implicated in this case.



Learned counsel further submits that petitioner being lady has no role in the alleged occurrence. It is categorically submitted that petitioner has no concern with regard to abduction of the victim girl. There is no specific allegation of kidnapping against the petitioner rather there is allegation that she helped other co-accused in kidnapping of informant's daughter which is evident from perusal of the FIR. Learned counsel for the petitioner submits that no averment has been made by the victim against the petitioner in her statement recorded under Section 183 of BNSS. Apart from that, petitioner bears no criminal antecedent.

5. Learned counsel for the State as well as learned counsel for the informant submitted the name of petitioner finds place in the FIR and she cannot escape from the liability of allegation made in the prosecution story.

6. Considering the facts and circumstances of the case, petitioner is lady and bears no criminal antecedent, no averment has been made by the victim against the petitioner in her statement recorded under Section 183 of BNSS, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 150 of 2024, G.R. No. 1664 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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