

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41350 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- SOHSARAI District- Nalanda

Neha Kumari @ Neha Devi D/o Jalandhar Paswan R/O Village Amahara PS
Amahara District Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Kumari, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 800 of 2024 arising out of Sohsarai P.S. Case No. 70 of 2024 registered for the alleged offences under Sections 363, 365, 366A of the Indian Penal Code.

03. As per prosecution case, the minor daughter of the informant was kidnapped by the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the sister-in-law (*Nanad*) of the elder daughter of the informant and she has been staying in the house of the informant for two months. Some dispute arose and the



petitioner left the house of the informant. The allegation that the petitioner forcibly dragged out the minor daughter of the informant, is not believable as it is almost impossible for a lady to drag out and forcibly kidnap a 17 years old girl. Learned counsel further submits that the FIR has been lodged by the informant on the basis of statement of the friend of the victim but this friend of the victim has not been examined and her name has not been mentioned either in the FIR or in the case diary. Moreover, all the details about kidnapping are missing. The victim girl herself appeared before the police along with her mother on 17.05.2024. The statement of the victim girl recorded by the police under Section 161 Cr.P.C is also not believable that she was being taken to Raigarh on false pretext that she would be taken to the house of her elder sister but she was kept confined at some other place by this petitioner. The timing of the occurrence is also suspicious as the informant who is mother of the victim claimed that her daughter left her house at 05:00 hours in the morning whereas victim herself stated that she left her house at 05:00 in the evening. The FIR has been lodged as 18:00 hours and this shows that there is delay of 13 hours in lodging the FIR and the same is without explanation. Learned counsel further submits that the petitioner is a lady and is having



clean antecedent. The petitioner is in custody since 30.05.2024 and charges has been framed on 19.10.2024, but there is no likelihood of early conclusion of trial.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that there is specific allegation against the petitioner that she kidnapped the minor daughter of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and further considering the period of custody of the petitioner and her clean antecedent along with framing of charge against her, the petitioner above named is directed to 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 learned Additional Sessions Judge-VII-cum-Special Judge, POCSO Act, Bihar Sharif, Nalanda/court concerned in connection with Sohsarai P.S. Case No. 70 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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