

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38365 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- BALIYA District- Begusarai

Heera Parween W/o Gaurav Kumar R/o Village- Bari Balia, Northern, P.O.-
Barki Balia, P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lali Praveen W/o- Anwar Hussain, R/o- Village- Bari Balia Uttri, Ward
No.05, P.S.- Balia, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner apprehends her arrest in connection with Baliya P.S. Case No. 311 of 2024, registered for the offences punishable under Sections 137(2), 96, 352, 341(2), 351(3), 3(5) of BNS, 2023.

3. On 15.09.2024 at about 5:00 pm the informant's daughter went to market for buying vegetables but she did not return and on search she could not be traced out. The FIR has been instituted against co-accused Prince Yadav and others that they have kidnapped the victim girl.

4. Learned Advocate for the petitioner submitted that besides the fact that the present FIR has been instituted after a



delay of two days, the petitioner is none else but the cousin of the victim and only on account of the fact that the victim had on her asking left her village and went to New Delhi, the name of the petitioner has also been implicated. The statement of the victim was duly recorded under Section 183 of BNSS wherein she has categorically stated that on the asking of this petitioner, she went to Delhi but later on it transpired that her family members have instituted the FIR against the co-accused persons who have nothing to do with the present case, she immediately returned to her home.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and considering the statement of the victim recorded under Section 183 of BNSS wherein she has not made any allegation against the petitioner, coupled with the fact that during the course of investigation no cogent material has collected showing the complicity of the petitioner; moreover the petitioner is a lady having fair antecedent, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a



copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Baliya P.S. Case No. 311 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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