

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47489 of 2025

Arising Out of PS. Case No.-1086 Year-2023 Thana- KHAGARIA District- Khagaria

Lalita Devi aged about 45 years (female) wife of Pramod Sahni, Resident of
Village- Gangour Tirasi, P.S- Gangour, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Santosh Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mrs. Asha Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Khagaria (Gangour) P.S. Case No. 1086 of 2023 registered
for the offence punishable under Sections 366(A) of the Indian
Penal Code.

3. As per the allegation made in the FIR, son of the
petitioner had allegedly kidnapped the minor daughter of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. No allegation of any overt
act has been alleged against the petitioner in the FIR. Petitioner



has been made accused in the present case because she is the mother of the co-accused, namely, Vivek Kumar @ Sintu Kumar, who had allegedly committed kidnapping of the minor daughter of the informant. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that no allegation of any overt act has been alleged against the petitioner in the FIR. Petitioner has been made accused in the present case because she is the mother of the co-accused, namely, Vivek Kumar @ Sintu Kumar, who had allegedly committed kidnapping of the minor daughter of the informant. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria/



court concerned, in connection with Khagaria (Gangour) P.S.
Case No. 1086 of 2023, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify
the criminal antecedent of the petitioner as stated in
paragraph no. 3 of the bail application. If any other case is
pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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