

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74115 of 2024

Arising Out of PS. Case No.-230 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Tannu Kumari @ Tanu Kumari D/O-Nitish Kumar Singh Resident of Village- Jangali Maie, @ jagali Mae, P.S.- Muzaffarpur Town, Distt.- Muzaffarpur and at present resident of Mohalla- Pani Tanki Road, Charch Road No. 1, P.S.- Mithanpura, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar Son of Birendra Rai Resident of Village and P.O.- Govind Chak, P.S.- Sonpure, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Adv.
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Ashutosh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 13-02-2025 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the Informant. Perused the case diary called for in Cr. Misc. No. 74031 of 2024.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 230 of 2024 instituted for the offences under Section 363, 366A/34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of being involved in kidnapping the minor Informant's daughter.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against her and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and her name has transpired in this case in course of investigation. As per F.I.R., the allegation of kidnapping has been raised against the co-accused Raja Kumar and Kaushal Rai. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.05.2024 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. From Para-46 of the case diary, it appears that on receipt of secret information, the police has recovered the victim girl from the house of the co-accused Manisha Devi. The victim girl, in her statements recorded under Sections 161 and 164 Cr.P.C., has made serious allegation against the accused persons including the petitioner. The Investigating Officer after completion of investigation has submitted charge-sheet under Sections 363/366A/372/328/379/376/120B/34 of the I.P.C. and Section 6 of the Protection of Children from Sexual Offences



Act and Sections 4 and 5 of the Immoral Traffic (Prevention) Act.

6. Having heard rival contention of both the parties and considering the nature and gravity of the offence as also taking into account the statements of the minor victim girl recorded under Sections 161 and 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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