

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81779 of 2024

Arising Out of PS. Case No.-113 Year-2024 Thana- HISUWA District- Nawada

Mamta Devi W/o Kailu Rajbanshi @ Kailash Rajbanshi Resident Of Village-
Kendua, Ps- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-04-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and Mr. Anil Kumar, learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Hisua P.S. Case No. 113 of 2024, F.I.R. dated 22.02.2024 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code.

3. Allegation against the petitioner is of kidnapping of the informant's minor daughter.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner has no concern with the



alleged occurrence and the victim girl was recovered and her statement under Section 164 of the Cr. P.C./Section 183 of BNSS, 2023 was recorded in which she has categorically stated that she has performed the marriage with co-accused Mantu Rajbanshi and husband of the petitioner namely Kailu Rajbanshi @ Kailash Rajbanshi was in judicial custody since 06.06.2024 and now he is on bail. He further submits that the petitioner has no relation with co-accused person namely Mantu Rajbanshi and the petitioner is co-villager of co-accused Mantu Rajbanshi.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner .

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 A.C.J.M. VI, Nawada in connection with Hisua P.S. Case No. 113 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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