

(2025) 06 JH CK 0954
In the Jharkhand High Court
Case No : A.B.A. No.7357 Of 2024

Monika Kumari @ Monika Devi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 23-06-2025

Acts Referred:

Citation : (2025) 06 JH CK 0954

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Shailendra Jit, Praful Jojo, Vikash Anand, Nilesh Kumar Gupta

Final Decision : Allowed

Judgement

Ananda Sen, J.

1. Heard the parties.

2. This anticipatory bail application under Section 482 of the Bharatiya Nyaya Suraksha Sanhita, 2023, has been preferred by the petitioner apprehending her arrest for offence under Sections 366-A IPC.

3. The allegation against this petitioner is that this petitioner has kidnapped the victim.

4. After hearing the parties and going through the case diary, specially para-41 which is the statement of the victim, it is clear that the victim has returned to her house. She stated that this petitioner had told her to go to Delhi. On the aforesaid instigation, the victim had gone to the school on a particular day and thereafter from the school, she alone had gone to the bus stand and therefrom had gone to Begusarai and from Begusarai, she had gone to Delhi, where this petitioner received her. It is further alleged that this petitioner thereafter asked her to go to the house of someone to work and when she refused, she was thrown out of the house by this petitioner. The informant thereafter stayed with some other family and lastly returned home.

5. During the course of argument, it has been submitted by learned A.P.P. that there is no criminal antecedent against the petitioner.

6. After going through the statement, I find that this petitioner had never accompanied the victim. There is no allegation of any assault either physical or sexual. Further, the victim herself has left her house and had gone to Delhi, and thereafter she returned, and also considering that there is no criminal antecedent of this petitioner, I am inclined to grant anticipatory bail to this petitioner.

7. Accordingly, this Anticipatory Bail Application stands allowed. The petitioner, above named, is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of her surrender or arrest, she shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand), with two sureties of the like amount each, to the satisfaction of learned J.M. 1st Class, Hazaribag, in connection with Katkamdag P.S. Case No.220 of 2022, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property. The petitioner should appear once in fifteen days before the Investigating Officer till conclusion of the investigation, failing which, it will be open to the Investigating Officer to file an appropriate application before the Court concerned for cancellation of bail.