

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51606 of 2016

Arising Out of PS.Case No. -180 Year- 2015 Thana -PARIHAR District- SITAMARHI

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Asho Devi, wife of Late Kewal Rai, resident of Village- Haribua, P.S.-
Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 02-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Parihar P.S. Case
No.180 of 2015 registered under Sections 366(A), 372 and 376/34 of
the Indian Penal Code besides Section 4 of the POCSO Act.

The accusation of the informant Bhavikshan Rai is that on
19.09.2015 at about 06.00 P.M., his daughter Punam Kumari, aged
about 14 years, was accompanied by this petitioner to her house but till
08.00 P.M. of that date, she did not return. Thereafter, the informant
went to the house of the petitioner, then she stated that her son Jainath
Rai has gone to see-off his daughter. In course of returning, in the way,
the informant came to know from Rajesh Kumar and Jitendra Kumar
that Jainath Rai and Habib Baitha were seen going on a motorcycle



boarding to his minor daughter and Bachcha Lal Baitha was also seen behind them on another motorcycle.

Learned counsel appearing on behalf of the petitioner submits that Jainath Rai, the son of the petitioner, was involved in the kidnapping of the minor daughter of the informant, due to that reason, the petitioner, being the mother of Jainath Rai, has falsely been implicated in this case. Only to put undue pressure upon the petitioner, the victim has also disclosed the name of the petitioner in her statement under Section 164 of the Code of Criminal Procedure to the effect that the petitioner called her to her house and permitted her son to take her boarding on the motorcycle. Further submission is that the petitioner is lady and having no criminal antecedent is in custody since 20.08.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to 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 the 1st Additional Sessions Judge-cum-Special Judge, Sitamarhi, in connection with Parihar P.S. Case No.180 of 2015.

(Rajendra Kumar Mishra, J)

P.S./-

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