

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23306 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- MAHILA P.S. District- Madhubani

1. Amarnath Kumar @ Shri Niwas, aged about 25 years, (Male) Son of Ram Babu Singh Resident of Village - Hanuman Nagar, P.S.- Khutauna, District - Madhubani
2. Sita Devi, aged about 45 years (female), Wife of Ram Babu Singh Resident of Village - Hanuman Nagar, P.S.- Khutauna, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 16-07-2019

Heard learned counsel for the petitioners and learned APP for the State.

2. The application is restricted to petitioner no. 2, who is the mother of the main accused in Madhubani Women PS Case No. 65 of 2018 (GR No. 65 of 2018) dated 19.07.2018 instituted under Sections 341, 323, 374/34 of the Indian Penal Code and 4 of POCSO Act.

3. The allegation against the petitioner is that she was also instrumental in the crime committed by her son.

4. Learned counsel for the petitioner submitted that just because she was the mother of the main accused, she has also



been roped in without any genuine basis. It was submitted that against her, there is some vague and cosmetic allegation but nothing substantive.

5. Learned APP fairly submitted that against the petitioner nothing substantive has been alleged and only because she is the mother of the main accused, she appears to have been also made an accused.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner no. 2 namely Sita Devi be released on bail upon furnishing bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), Madhubani, in Women P.S. Case No. 65 of 2018, (GR No. 65 of 2018), subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

P. Kumar

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