

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27434 of 2019

Arising Out of PS. Case No.-346 Year-2018 Thana- KAMTAUL District- Darbhanga

KAUSHALIYA DEVI Wife of Ganesh Das Resident of Village - Tektare,
P.O.- Madhopur, P.S.- Kamtaul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends her arrest for the offences alleged under Sections 341, 323, 354, 354(B), 504, 506, 34 IPC and Section 3 and 4 of the POCSO Act registered in connection with Kamtaul P.S. Case No. 346 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in any event the thrust of accusation of the offences alleged under penal non-bailable Sections as well as under the POCSO Act are against co-accused Vijay Das. The petitioner is the mother of the said Vijay Das and is said to have abused and assaulted when the informant went with her grievances to the petitioner. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Darbhanga, in connection with Kamtaul P.S. Case No. 346 of 2018, subject to the



conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, her bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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