

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41916 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- SALAKHUA District-
Saharsa

- =====
1. AMLA DEVI, aged about 66 years, female, Wife of Late Bhupan Sharma Resident of Ward No. 10, P.S. - Selkhua (O.P. - Banmaitahri), District - Saharsa
 2. Jeetni Devi @ Joti Devi, aged about 26 years, female, Wife of Mitthu Sharma @ Mithu Kumar D/O Mangal Das, Resident of Ward No. 10, P.S. - Selkhua (O.P. - Banmaitahri), District - Saharsa
 3. Bobby Devi @ Babita Devi, female, aged about 27 years, Wife of Ranjay Sharma Resident of Ward No. 10, P.S. - Selkhua (O.P. - Banmaitahri), District - Saharsa

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Madhav Jha, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 09-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366(A), 372, 379, 120(B) of the Indian Penal Code and Section 8 and 12 POCSO Act registered in connection with Salkhua P.S. Case No. 40 of 2019.

3. It is submitted that the petitioners have been falsely implicated in her deposition under Section 164 Cr. P.C., the victim has named two boys namely Tokan and Subhash who are said to have gagged her and taken her away on motorcycle to the house of the brother-in-law of Ashish. No accusation whatsoever has been made against the petitioners, who have been implicated merely because they happen to be the mother and two



neighbours of the aforesaid Ashish. The petitioners are ladies claiming clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge 1st, Saharsa in connection with Salkhua P.S. Case No. 40 of 2019, 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 petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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