

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82278 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- NATHNAGAR District- Bhagalpur

LAKSHMI DEVI Wife of Late Garbhu Das Resident of Village- Noorpur
(Harijan Tola), P.S.- Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-12-2019 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(B), 379, 504, 506, 34 of the Indian Penal Code and Section 8 of the POCSO Act registered in connection with Nathnagar (Madhusudanpur) P.S. Case No. 312/2019.

3. It is submitted that the petitioner has been falsely implicated and in any event the accusation of molestation of the informant's daughter is against co-accused Shakti Das. The accusations are highly improbable as the parties are agnates and co-accused Shakti Das and the victim girl are brother and sister. The accusation of snatching *mangalsutra* from the informant's neck attributed to the petitioner is mere embellishment and has not been found true in course of investigation. 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 Ist-cum-Special Judge, POCSO Act,



Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 312/2019, 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 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 herself 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 except as and when directed by the learned Court below to be physically present, 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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