

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87313 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- MUFFASIL District- West Champaran

1. Sudarmati Devi @ Sundarmati Devi, Wife of Late Awadhesh Patel Resident of Village - Sugauli, P.S.- Shikarpur, Distt - West Champaran.
2. Bablu Deva Son of Sri Balister Tiwari Resident of Village - Sugauli, P.S.- Shikarpur, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 25-06-2020 Heard Mr. Umesh Chandra Verma, learned

counsel for the petitioners and Mr. Md. Aslam Ansari,

learned APP for the State.

The petitioners seek bail in anticipation of

their arrest in connection with Bettiah Muffasil

(Manuapul) P.S. Case No. 108 of 2019 dated

19.02.2019 instituted for the offences under Sections

366A and 34 of the Indian Penal Code and Section 8 of

the Protection of Children from Sexual Offences Act,

2012 (POCSO Act).

According to the FIR, the minor sister of the



informant was kidnapped for the purpose of marriage by one Nitesh Kumar who was assisted in this act by the petitioners.

The learned counsel for the petitioners has submitted that the petitioner no. 1 is the mother of aforesaid Nitesh Kumar whereas petitioner no. 2 is a co-villager having good equation with the family of Nitesh Kumar. It has further been submitted that the victim was medically examined and it was found that she was a major.

Apart from this, the learned counsel for the petitioners has drawn the attention of this Court to the statement of the victim recorded in paragraph-70 of the case diary that she has married Nitesh Kumar of her own volition and that the case of kidnapping has been falsely lodged against the accused persons.

Considering the aforesaid submissions raised on behalf of the petitioners, they are directed to be released on bail, in the event of their arrest or surrender



before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-the Special Judge, under POCSO Act, West Champaran, Bettiah in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 108 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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