

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15811 of 2021**

Arising Out of PS. Case No.-09 Year-2020 Thana- KODHOBARI District- Kishanganj

INDIRA DEVI W/o Rit Lal Harijan Resident of Village - Dhangara, Ward
no.2, P.S.- Kodhobari, Dist.- Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 13-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 370, 372, 120B and 34 of the Indian Penal Code, sections 4 and 6 of the POCSO Act and sections 3, 4 and 5 of the Immoral Trafficking Act.

As per allegations in the FIR, the accused persons including the petitioner herein took away the minor daughter of the informant and assaulted her.

It is submitted by learned counsel for the petitioner that the petitioner who is a 54 year old woman has been falsely implicated in the case because of her being the mother of accused Sanjay. She is innocent and has been falsely implicated in the case. Her husband also died in judicial custody. She is in custody since 16.5.2020 and charge sheet has been submitted in



the case.

Application for bail is opposed by learned APP for the State who submits that in her statement under section 164 Cr.P.C the minor daughter of the informant has categorically made statement naming the petitioner herein as also one of the accused who has taken her in the tempo and ultimately the victim was sold for a sum of Rs. 25,000/-. Further the petitioner is an accused from before in a case registered under sections 366 and 376 of the Indian Penal Code.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the contents of the statement of the minor victim under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew her prayer for bail in case there is no progress in the case in the learned Court below in six months.

(Partha Sarthy, J)

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