

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45235 of 2021**

Arising Out of PS. Case No.-4 Year-2017 Thana- KATEYA District- Gopalganj

Giriya Devi @ Gudiya Devi W/O Santosh Sonar @ Santosh Verma R/O
Village-Gauri Bazar, P.S.-Kateya, District-Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra
For the Opposite Party/s : Mr.Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 15-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Kateya P.S. Case No. 04 of 2017, registered for the offence under Section 363 and 366(A)/34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

As per the prosecution case, all the accused persons named in the F.I.R. including this petitioner took away the daughter of the informant for unlawful purpose.

It is submitted on behalf of petitioner that F.I.R. has been lodged after two months & two days of the alleged occurrence and there is no explanation of delay. When the victim was recovered, her statement was got recorded under Section 164 Cr.P.C., wherein she did not say about the sexual intercourse. Petitioner is lady and she is next door neighbour of



the informant. It is further submitted that both parties have compromised the case and to this effect, a joint compromise petition dated 11.05.2017 has already been filed in the court below. Petitioner has got clean antecedent and she is in custody since 05.07.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge VI-cum-Special Judge, POCSO, Gopalganj in connection with Kateya P.S. Case No. 04 of 2017.

(Prabhat Kumar Singh, J.)

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