

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38134 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- MAJHAULIA District- West Champaran

CHANDRAWATI DEVI wife of Bharat Ram Resident of Village- Parasa
Manje, P.S.- Majhaulia, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.06.2020 in connection with Majhaulia P.S. Case No. 30/20 registered for the offences punishable under Sections 366/504(34) of the Indian Penal Code and Section 11 of POCSO Act and 3(1)(r) of the SC/ST Act.

As per the prosecution case, on 12.01.2019, in the afternoon, when the daughter of the informant went to attend call of nature, in the meantime, all the accused persons including this petitioner were present there and abducted the daughter of the informant for the purpose of marriage. It is further alleged that when the informant went to the house of the accused persons to make enquiry about the whereabouts of his daughter, they abused the informant by caste name threatened him. It is also alleged in the FIR that his daughter is still taking



to him through mobile No. 9117228524 and 8651839418.

It is submitted on behalf of the petitioner that petitioner is 55 years old lady and has been falsely implicated in this case simply because she also belongs to scheduled caste. There is general and omnibus allegation and no specific allegation of abduction has been levelled against this petitioner. It is further submitted that FIR has been lodged after a delay of one month for which no plausible explanation has been given. It is further submitted that after perusal of the FIR, it is apparent that victim is still in contact with the informant through mobile phone. Chargesheet has already been submitted in this case. Petitioner is in custody since 10.06.2020 and has got no criminal antecedent.

Considering the nature of allegation and that the petitioner is a lady having no criminal criminal antecedent, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge VI cum Special Judge POCSO, West Champaran, Bettiah, in connection with Majhauria P.S. Case No. 30/20, subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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