

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.82 of 2021**

Arising Out of PS. Case No.-225 Year-2020 Thana- MAJHAULIA District- West Champaran

LALITA DEVI W/o Anuj Sah R/o village- Bishambhara, P.S.- Gopalpur,
District- West Champaran, Bettiah

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 08-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Majhauliya P.S. Case No. 225/2020 registered for the offences punishable under Section 363/366(A)/34 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution story, the daughter of the informant used to go to the house of the co-accused and on 18.04.2020 at about 6:00 P.M. she had gone to the house of the co-accused for some work but did not return and on search the informant came to know that co-accused and her son Dilip Kumar with the help of others kidnapped the minor daughter of the informant.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is no specific allegation against the petitioner. Learned counsel submits that the matter relates to the love affair between the victim girl and the co-accused Dilip Kumar, however he is in custody since 01.06.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed that this petitioner is the married sister of the co-accused Dilip Kumar and from the materials it seems that the thrust of the allegations are against the co-accuse Dilip Kumar, petitioner has remained in jail in connection with the present case since 01.06.2020, she has otherwise no criminal antecedent, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, West Champaran, Bettiah in connection with Majhauilya P.S. Case No. 225/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

