

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2136 of 2022

Arising Out of PS. Case No.-174 Year-2021 Thana- LAKHNAUR District- Madhubani

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BINITA DEVI @ BINA DEVI, Female, aged about 50 years, Wife of Late Dhuneshwar Thakur @ Yugeshwar Thakur, Resident of Village - Behat, Ward No.-12, Police Station- Lakhnaur (R.S.O.P.) District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party : Mr. Raj Kishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioner is apprehending her arrest in connection with Lakhnaur (R.S. O.P.) P.S. Case No. 174/2021 for the offence registered under Sections 363 and 366(A)/34 of the I.P.C. and 8/12 of the POCSO Act.

The prosecution story, in brief, is that the daughter of the informant fell in love with one Aditya Kumar. It is



further alleged that on 23.01.2021 the daughter of the informant was abducted by the petitioner and others while she was going to the School.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is a lady. The victim has been recovered. Her statement under Section 164 Cr. P.C. has been recorded. There is no allegation of sexual or physical abuse alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge-VIIth (POCSO Act), in connection with Lakhnaur (R.S.O.P.) P.S. Case No. 174/2021, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

