

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14006 of 2021

Arising Out of PS. Case No.-188 Year-2019 Thana- KAHALGAON District- Bhagalpur

KAVITA DEVI W/o Sanjay Mandal Resident of Village - Ogri, P.S.-
Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner and learned
APP 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 a case
registered under Sections 363, 366(A), 272 of the Indian Penal
Code and 8 of POCSO Act.

The prosecution allegation, in short, is that the
daughter of the informant went missing and the informant
suspects that the accused persons might have abducted her for
human trafficking.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. There are two ladies by the same name who have been made accused in the present case. The name of the petitioner is Kavita Devi and from perusal of the statement of the victim, no name as Kavita Devi has been referred. The other lady who has been made accused in the present case is Kavita Kumari. Further, from the case diary, it appears that the name of the petitioner has transpired during the investigation. The petitioner is not named in the F.I.R.. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -1st, Bhagalpur in connection with



Kahalgaon P.S. Case No. 188/2019, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

