

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15304 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- MAHESI District- East Champaran

SARSWATI DEVI Wife of Omprakash Chaudhari @ Prakash Choudhary
Resident of Village - Kaswa Mehshi, Ganj Chowk, P.S.- Mehshi, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-01-2022 Heard Mr. Anil Kumar, learned Advocate for the
petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of her arrest in connection with Mehshi P.S. Case No. 307 of 2020 dated 06.10.2020 instituted for the offences under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

A 16-17 year old girl was said to have been kidnapped by one Raju Pandit and his associates.

The petitioner is alleged to have participated in the abduction of the victim.

The learned counsel for the petitioner has submitted that she is the neighbour of Raju Pandit and merely because she had good relations with the mother of aforesaid Raju Pandit, that she has been made



accused in this case.

The victim, on her recovery, has given her statement under Section 164 Cr.P.C. in which she, though, has talked about the complicity of the petitioner but according to the learned counsel for the petitioner, such accusation cannot be accepted to be a true account of the occurrence.

The petitioner is alleged to have administered some deleterious substance to the victim whereafter she became unconscious and then she was taken to a temple where she was left undefended.

Learned counsel for the petitioner has submitted that there was some kind of relationship between Raju Pandit and the victim and merely because the families were not agreeable to this kind of liaison, all the persons of the family of aforesaid Raju Pandit including the neighbour *viz.* the petitioner, have been made accused in this case.

Regard being had to the fact that the petitioner is the neighbour of Raju Pandit and is a married woman with five children, she is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on her furnishing bail bonds in the sum of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Mehsi P.S. Case No. 307 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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