

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20568 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- MAHILA THANA District- Begusarai

MALA DEVI W/O BRAHMDEO THAKUR RESIDENT OF VILLAGE -
TERHI WARD NO 09 KAURIHAR PS - GAMHARIA , DISTRICT -
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mahila P.S. Case no. 24 of 2020 instituted for the offence
under Sections 366A, 376 and 34 of the Indian Penal Code and
Section 4 of the POCSO Act.

As per allegation in the FIR, son of the petitioner



namely, Din Bandhu Kumar, had forcibly taken away the minor daughter of the informant, aged about 15 years with a view to marry her.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is mother of the main accused, namely, Dinbandhu Kumar, who has kidnapped and raped her daughter. There is no specific allegation of overt act against the petitioner. Her statement got recorded under Section 164 Cr.P.C. wherein she has not taken the name of the petitioner. She has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case no. 24 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Act, Begusarai



subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

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