

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28516 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- SAHIYARA District- Sitamarhi

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1. GHINA DEVI WIFE OF DILIP BHANDARI R/O- VILLAGE-MAHADEV, P.S.- SAHIYARA, DIST.- SITAMARHI (BIHAR)
 2. DILIP BHANDARI SON OF KAMOD BHANDARI R/O- VILLAGE-MAHADEV, P.S.- SAHIYARA, DIST.- SITAMARHI (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner no.2.

Permission is accorded.

The petitioner no.1 apprehends her arrest in a case
registered for the offences punishable under Sections 363 and
366(A) of the Indian Penal Code read with Section 8 of the
POCSO Act.

The informant alleges that her minor daughter had
accompanied Fulo Devi and petitioner no.1 for seeing Durga



Pooja but did not return and when the informant inquired about her daughter, she was abused and also received threatening calls from mobile of Jugeshwar Sahani.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner is neighbor of the informant, further the victim came back and her statement was recorded under Section 164 of the Cr.P.C. wherein she has stated that she was forced to elope with Jugeshwar by Fulo Devi. Learned counsel further submits that admittedly the victim has not taken name of petitioner no.1 in her statement under Section 164 Cr.P.C. which would be evident from the impugned order itself.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor



court in connection with Sahiyara P.S. Case No. 129 of 2021
subject to the conditions as laid down under Section 438 (2) of
the Cr.P.C.

(Satyavrat Verma, J)

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