

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36654 of 2022

Arising Out of PS. Case No.-9 Year-2020 Thana- KODHOBARI District- Kishanganj

INDIRA DEVI @ INDRA DEVI WIFE OF LTE RIT LAL HARIJAN R/O
VILLAGE- DHANGARA, WARD NO.-12, P.S.- KODHOBARI, DISTRICT-
KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 31-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for bail in a case registered under sections 376, 370, 372, 120B and 34 of the Indian Penal Code, sections 4 and 6 of the POCSO Act and sections 3, 4 and 5 of the Immoral Trafficking Act.

As per the prosecution case, the accused persons including the petitioner herein are said to have taken away the minor daughter of the informant and of having assaulted her.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 13.9.2021 (Annexure-1) passed in Cr. Misc. no. 15811 of 2021 giving liberty to the petitioner to renew his



prayer for bail in case there is no progress in the case in the learned Court below in six months. The petitioner who is a lady is in custody since 16.5.2020 and undertakes to cooperate in the trial.

The prayer for bail is opposed by learned A.P.P for the State.

A report was called from from the learned trial Court. As per the report received 4 out of the 11 witnesses have been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner who is a 54 year old lady, the petitioner having remained in custody for more than 2 years since 16.5.2020 and the stage of the trial in the learned trial Court, the petitioner is directed to be enlarged on bail in connection with Kodhobari P.S. Case no. 9 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge I-cum-Special Judge, Kishanganj on the following conditions :

(i) one of the bailors of the petitioner shall be a close relative of the petitioner.



(ii) The petitioner shall remain physically present in
Court on each date of the trial.

(Partha Sarthy, J)

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