

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38947 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- SURSAND District- Sitamarhi

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Meena Devi, Wife of Vindeshwar Ram Resident of village- Diwari, P.S-
Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

Let the defect(s) be removed within four weeks of the

complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection

with Sursand P.S. Case No.8/2022 instituted under Sections 363,

366A, 34 of the Indian Penal Code.

As per the FIR, the informant gave written

information on 04.01.2022 alleging there in that her minor

daughter had gone at 'Maneshwar Asthan Mandir' on

07.12.2021 for worship but did not return till evening.



Thereafter the informant began to search her and in course thereof, she received information from Banarashi Devi that from the campus of the Mandir Krishna Kumar, Meen Devi and Renu Devi have taken away her daughter forcibly on Scorpio. On search came to light that they have kept her daughter in the village but when she went there. They have changed the place. A panchyati was held in the village in which they assured that within 2-4 days the girl will come back but it did not happen. It is further alleged that on contacting Krishna Kumar, he used to abuse and also threatened to kill her. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that she is mother of Krishna Kumar against whom there is allegation of taking away the informant's daughter. It is further submitted that the mother and the sister were unnecessarily dragged in the matter and it is his last submission that the victim girl in her 164 Cr.P.C. statement has not supported the prosecution story in the light of which, the petitioner's daughter Renu Devi has since been granted the privilege of anticipatory bail vide Cr. Misc. No.39923 of 2022 on 12.09.2022 by a co-ordinate Bench of this Court.

Let the same be kept on record.



Taking into account the fact that she is mother of Krishna Kumar, a lady, is in custody since 23.03.2022, his daughter Renu Devi has since been granted the privilege of anticipatory bail, do not carry any criminal antecedent, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sursand P.S. Case No.8/2022 to the satisfaction of learned Additional District & Sessions Judge, 6th-cum-Special Judge (POCSO), Sitamarhi, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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