

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45059 of 2022**

Arising Out of PS. Case No.-403 Year-2021 Thana- NAANPUR District- Sitamarhi

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Lalita Devi W/O Santoshi Das Resident of Village - Bhaluahiya, P.s.- Nanpur,  
Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Ranjeet Kumar Mishra, Advocate |
| For the State        | : | Mr. Abhay Kumar, APP               |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      14-11-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Nanpur  
P.S. Case No. 403 of 2021 registered for the offence under  
Sections 363, 366(A) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 01.06.2022.

The allegation against the petitioner is to kidnap the



minor daughter of the informant for the purpose of illicit intercourse, alongwith other co-accused persons/family members.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in the present case only being the mother of the co-accused, namely, Bittu Kumar. It is further submitted that victim totally denied the occurrence of rape/penetrative sexual assault in her statement recorded u/s 164 of the Cr.P.C alleging any incriminating version against the petitioner. While concluding the argument, it is submitted that petitioner is a lady and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as thrust of allegation is available against son of the petitioner, who is a lady coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nanpur P.S. Case No. 403 of 2021 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge (POCSO), Sitamarhi/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

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