

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58882 of 2021

Arising Out of PS. Case No.-159 Year-2021 Thana- AMAS District- Gaya

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Durga Kumari @ Durga Devi W/O Pravin Singh R/O Village-Mehiya, P.S-
Tandwa, District-Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey
For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
366(A)/ 34, 376, 372 of the Indian Penal Code and Sections 4
and 6 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that her minor daughter went to attend coaching classes
at Madanpur, but she did not return and thereafter, on inquiry,
the Director of the coaching disclosed that she had already left
from the coaching. It is next alleged that one week prior to the
incidence, threatening call was received on mobile as detailed in
the F.I.R. from mobile no.8434304218, 7463001422 and



6201440851 on which threatening the informant that her daughter would be kidnapped for the purposes of marriage. It is next alleged that this petitioner used to help the victim talk on mobile no.9142397961. It is next alleged that on 28.06.2021 at about 10.00 A.M., one Abhishek Singh informed her that the victim girl is at Ahaiya and when she reached at village Ahaiya, the boy fled from there.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that petitioner and informant are not related and they met in a marriage at Majhauriya where the petitioner noticed that the victim and Vishal Kumar were interested in each other. Accordingly, she informed the informant to ensure that her daughter does not get carried away, as such, an impressionable age. It is thus submits that since the petitioner had advised the informant against her daughter, perhaps for that reason, she has been implicated in the present case. It is next submitted that though the petitioner is not known to the informant, but in the marriage, on asking of the victim, she had made her talk with Vishal Kumar through her mobile and thus, she came to know that both of them are interested in each other.

Learned A.P.P. opposes the bail application.



Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a lady and the allegations are also not specific against her, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Amas P. S. Case No.159 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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