

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6560 of 2023

Arising Out of PS. Case No.-146 Year-2021 Thana- NAGARNAUSA District- Nalanda

Kamla Devi W/O Nagendra Prasad R/O Village- Kharzamma, P.S.-
Deepnagar, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushen Kumar Keshri

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in a case registered for the offence punishable under Sections 366(A), 34 of the Indian Penal Code and later on Section 354(A) of the IPC and Section 8/12 of Prevention of Children from Sexual Offence Act, 2012.

The prosecution case is that the co-accused Vicky and his father abducted the victim and took her to a place where three persons including the petitioner was present.

Learned counsel for the petitioner submits that the petitioner is innocent, not named in the FIR and has been falsely implicated in this case due to suspicion. He submits that there are too much variation and contradiction in the statement given under Section 161 and 164 of the Cr.P.C. by the victim. He



submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 16.05.2022 passed in Cr. Misc. No. 17858 of 2022. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty 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 Nagarnausa P.S. Case No. 146 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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