

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7372 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- RAGHUNATHPUR District- Siwan

RITA DEVI Wife of Munna Sah Resident of village - Gabhirar, P.S.-
Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends her arrest in a case registered
for the offence punishable u/s 363, 366A/34 of the IPC.

Allegation against the petitioner is of conspiring to help
in fleeing away of daughter of the informant with one Amit Sah.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. She
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. The allegation leveled against the petitioner is not
specific rather general and omnibus in nature. It is submitted
that no offence under the POCSO Act is made out against the
petitioner as the victim is a major. A school certificate is



enclosed at Annexure-4 of this bail application. The statement of the victim was recorded u/s 164 Cr.P.C. in which, she has not supported the prosecution case and similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.11.2022 passed in Cr. Misc. No.57943 of 2022.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the victim has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Raghunathpur P.S. Case No.62/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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