

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30731 of 2023

Arising Out of PS. Case No.-513 Year-2021 Thana- DUMRA District- Sitamarhi

SUSHILA DEVI D/o Sri Kapil Ray Resident of village - Simra, P.S. - Dumra,
Distt. - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Adv.
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Dumra P.S. Case No.513 of 2021, registered for offences under Sections 363 and 366(A) of the Indian Penal Code.

The allegation is regarding the accused persons, having been kidnapped the victim girl.

The learned counsel for the petitioner has submitted that the petitioner is innocent, she has been falsely implicated in the present case and she is having fair antecedent. The learned counsel for the petitioner has further submitted that the



victim girl was kidnapped by the brother of the petitioner, namely, Shivu Yadav and the petitioner is not having any complicity in the matter. It is also submitted that in fact the victim girl has also not made any specific allegation qua the petitioner in her statement, made under Section 164 Cr.P.C., before the learned Magistrate.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is merely the sister of the main accused person, namely, Shivu Yadav, who had kidnapped the victim girl and no specific allegation has been levelled qua her, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in



the event of her arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, (POCSO Act), Sitamarhi, in connection with Dumra P.S. Case No.513 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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