

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32443 of 2023

Arising Out of PS. Case No.-4 Year-2022 Thana- NASRIGANJ District- Rohtas

1. Nidhi Devi, Female, aged about 32 years, Daughter of Late Ashok Kumar Sharma, Wife of Bhola Sharma, Resident of Ratu Road, Near New Jharkhand Public School Laxmi Nagar, Piska More, Hehal, P.S.- Hehal, District- Ranchi, Jharkhand
2. Bindi Devi, Female, aged about 31 years, Daughter of Late Ashok Kumar Sharma, Wife of Jitendra Kumar Sharma, Resident of Chhata Tongri Chatakpur, Kamre, P.S.- Kamre, District- Ranchi, Jharkhand
3. Mala Devi, Female, aged about 50 years, Wife of Late Ashok Kumar Sharma, Resident of Ward No. 14, Village- Fatehpur, P.S.- Sherghati, District- Gaya
4. Manjeet Kumar Sharma @ Manjeet Kumar, Male, aged about 20 years, Son of Late Ashok Kumar Sharma, Resident of Ward No. 14, Village- Fatehpur, P.S.- Sherghati, district- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-07-2023 Heard Mr. Yogesh Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Rajendra Nath

Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Nasriganj P.S. Case No. 04 of 2022 registered for the
offence punishable under Sections 504, 506 of the Indian Penal
Code, Sections 66(c), 67(a), 67(b) of the I.T. Act and Section 12
of the POCSO Act. Later on charge sheet submitted under



Section 354(C), (D) / 504/506 of the Indian Penal Code, Section 66(c)/67(a)/67(b) of the I.T. Act and Section 12 of the POCSO Act.

3. Prosecution story, in brief, is that one Ranjeet Kumar Sharma, who is elder brother of the petitioner nos. 1, 2 and 4 and son of the petitioner no. 3 had eloped with the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioner nos. 1 and 2 are sisters, petitioner no. 4 is brother and petitioner no. 3 is mother of the Ranjeet Kumar Sharma, who is responsible for the illegal act. Allegation levelled against the petitioners is made just because they are family members. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners as well as the fact that the main accused is brother of the petitioner nos. 1, 2 and 4 and son of the petitioner no. 3, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four 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 learned ADJ-VII-cum-Special Judge (POCSO Act), Rohtas, Sasaram in connection with Nasriganj P.S. Case No. 04 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

U		T	
---	--	---	--

