

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43721 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- DELHA District- Gaya

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SUPRIYA KUMARI WIFE OF SANJAY SINGH MOHALLA JAGDEO
NAGAR, WARD NO. 3, PS- DELHA, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. RAJU PRASAD SON OF RAGHU RAM R/O MOHALLA- JAGDEO
NAGAR, WARD NO. 3, PS- DELHA, DISTRICT- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 31-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Delha P.S. Case No. 15 of 2023 dated 8.1.2023 registered for the offence punishable u/s 366A, 376(3), 370(3)(4)(6) of the Indian Penal Code and 4 and 6 of the POCSO Act.
 4. As per the prosecution case, the petitioner is alleged to have kidnapped and sold the minor daughter of the informant



for Rs. 1 lakh for unethical work.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is the neighbour of the informant. There is non-compliance of Section 34(2) of the POCSO Act. The age of the victim has not assessed by the court below and the victim has not raised any alarm during the course of travelling to Rajasthan. The victim was not forced to have sexual relationship with another person. Learned counsel has further submitted that the petitioner is a lady. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.3.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Delha P.S. Case No. 15 of 2023 with the condition:-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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