

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46775 of 2023

Arising Out of PS. Case No.-8 Year-2019 Thana- C.B.I CASE District- Patna

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SUSHILA DEVI Wife of Dilip Rai @ Dilip Patel Resident of village - Chak
Madari, P.O. - Mehshi, P.S. - Mehshi, Distt. - East Champaran

... .. Petitioner/s

Versus

The CBI through the Superintendent of Police, CBI, SCB, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari

For the Opposite Party/s : Ms. Nivedita Nirvikar

Mr. Sourendra Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner and learned
counsel for the CBI.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 504 and 34 of the Indian Penal Code, Section 8 of the POCSO Act and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015.

3. As per the prosecution case, during the course of audit of such short-stay homes in the State of Bihar, it was found that in “SAKHI”, the women inmates were subjected to all kind of inhuman treatment including their sexual exploitation.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner and none of the inmates



have supported the prosecution case. He further submits that petitioner is a female and charge-sheet has been submitted during the investigation and the CBI has not arrested the petitioner. He also relies on the judgment of Hon'ble Apex Court passed in the case of *Mahdoo Bava vs. Central Bureau of Investigation* reported in *2023 SCC Online SC 299*. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the C.B.I. opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 CBI/ SCB/ Patna Case No. RC0922019S0008, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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