

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48904 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- RUPASPUR District- Patna

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NIDHI BHARTI D/O SANJAY KUMAR GUPTA R/O MOHALLA-
ANAND BAZAR, TARACHAK, PS. DANAPUR, DIST. PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indra Bhushan Tiwary

For the Opposite Party/s : Mr. Md. Nazir Ansari

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

ORAL ORDER

- 2 09-08-2023 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 Rupaspur P.S. Case No. 86 of 2023 dated 03.02.2023 registered for the offences punishable u/ss 363 and 365 read with section 34 of the Indian Penal Code and later charge sheet has been submitted under



Sections 363, 365, 376/34 of the I.P.C. and Section 4 and 6 of the POCSO Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor son of the informant.

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 lady who is a teacher. No offence u/s 376 of the I.P.C. is made out against the petitioner. It is further submitted that as per medical examination, there is no sign of sexual harassment. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.02.2023.

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, Patna in connection with Rupaspur P.S. Case No. 86



of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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