

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59366 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- SARMERA District- Nalanda

Shanti Devi, Wife of Sheo Kumar Kewat @ Sheokumar, Resident of Village-
Gaush-Nagar, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Nath Singh, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Sarmera P.S. Case No. 10 of 2021 registered for the offences punishable under Sections 366(A) and 506/34 of the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution, the informant alleged that this petitioner took his daughter from his home for tuition and later on, with the help of some other co-accused persons abducted his daughter for marrying her with Damodar Kumar @ Damodar

Kewat.

The main submissions advanced by petitioner's counsel are that the petitioner is an old lady and languishing in jail since 08.06.2022, having fair and clean antecedent and the so-called victim has been recovered and she recorded her statement under Section 164 of Cr.P.C., in which she did not reveal the name of this petitioner and the FIR was lodged six days after the alleged incident.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts as stated above and mainly considering the facts that the petitioner is a sixty years old lady as mentioned in the petition and in the statement of the victim recorded under Section 164 of Cr.P.C., the name of this petitioner does not find any place though the details of a woman along with the co-accused persons, as to being present at the alleged place of occurrence, was revealed by the victim but the specific name of this petitioner was not revealed by the victim and the main co-accused Damodar Kumar @ Damodar Kewat, who happens to be the son of this petitioner is in judicial custody as per the submission made by petitioner's counsel, in my opinion it is a fit case for bail to the petitioner. Accordingly,

let the petitioner named-above be enlarged on bail on furnishing
bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the
like amount each to the satisfaction of the Court concerned in
connection with Sarmera P.S. Case No. 10 of 2021.

(Shailendra Singh, J)

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