

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72513 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- BIHAR District- Nalanda

ANITA DEVI Wife of Ashok Prasad @ Arvind Kumar Resident of Village-
Rampur Baignabad, Police Station-Bihar, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A) 376(3) of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner along with other co-accused persons are said to have kidnapped the daughter of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has supported the prosecution case.



He further submits that there is specific allegation against co-accused, Rahul Kumar and the petitioner is the mother of the co-accused, Rahul Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that the petitioner is a female, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bihar P.S. Case No.185 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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