

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67723 of 2022

Arising Out of PS. Case No.-88 Year-2021 Thana- GRIYAK District- Nalanda

ARTI KUMARI Wife of Ravi Kumar @ Ravi Ravidas R/V- Kaila, P.S- Sare,
Dist- Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 19.09.2022 in connection with Giriya (Katarisarai) P.S.Case No.88 of 2021, F.I.R. dated 25.02.2021 registered for the offence punishable under Sections 363 and 366(A) of the Indian Penal Code late on Section 376(D)(A) of the Indian Penal Code, Sections 4 and 6 of the Protection of Children from Sexual Offenses Act, 2012 as well as Section 5 of the Immoral Traffic Prevention Act has been added.

The informant alleges that his minor daughter was kidnapped by the petitioner and mother of Bablu on 25.02.2021 at 01:00 p.m. while she was going to school. Further, mobile number of Bablu was also furnished.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that the petitioner is wife of co-accused, namely, Ravi Kumar @ Ravi Ravidas. Further submits that from bare perusal of the FIR it transpires that the allegation of sexual assault is attributed against co-accused persons, namely, Suresh Ravidas and Ravi Kumar @ Ravi Ravidas. Further submits that the main co-accused person, namely, Suresh Ravidas has been granted provisional bail and the same was confirmed by order dated 11.04.2022 passed in Cr. Misc. No.61785 of 2021 and co-accused-Ravi Kumar @ Ravi Ravidas is also main co-accused, who has been granted bail vide order dated 12.04.2023 passed in Cr. Misc. No.68828 of 2022 by different Coordinate Benches of this Hon'ble Court and the petitioner is a female member and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Addl. District and



Sessions Judge-cum-Special Judge, POCSO, Biharsharif,
Nalanda in connection with Giriyak (Katarisarai) P.S. Case
No.88 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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