

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72163 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- KAKO District- Jehanabad

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SULEKHA DEVI @ SULEKHA KUMARI W/O GAUTAM KUMAR
VERMA Resident of village- Rajopar, P.O.- Arwal, P.S.- Arwal, District-
Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
14.11.2022, in connection with POCSO Case No. 55 of 2022,
arising out of Kako P.S. Case No. 98 of 2022, F.I.R. dated
26.05.2022 registered for the offences punishable under
Sections 366A of the Indian Penal Code and Section 8 of the
POCSO Act, 2012.

The prosecution case, in short, is that on 21.05.2022,
accused persons including the petitioner are alleged to have
kidnapped the minor daughter of the informant aged about 17
years.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is sister of co-accused Gautam Kumar and except the aforesaid that she is sister of co-accused Gautam Kumar, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.11.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIth-cum-Special Judge (POCSO) Act, Jehanabad in connection with POCSO Case No. 55 of 2022 arising out of Kako P.S. Case No. 98 of 2022, subject to 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 her criminal antecedents, 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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