

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71370 of 2022

Arising Out of PS. Case No.-184 Year-2019 Thana- MADHEPURA District- Madhepura

SHIBANI DEVI Wife of Sachendra Yadav Resident of Village - Sahugarh,
Bhagwanpur, P.S. and District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mrs. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard the parties.

The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 366A, 370A, 120B of the Indian Penal Code and section 4 of POCSO Act and section 5A(c), 5A(d), 6(2-A) of Immortal Traffic Act.

As per the FIR, the petitioner alongwith other co-accused persons kidnapped the informant and forced her to get involved in sex trade.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. She has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the statement of the victim was recorded u/s 164 Cr.PC in which she has not supported the prosecution case. He further submits that



similarly situated co-accused persons have been granted co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 21.09.2022 passed in Cr. Misc. No.20774 of 2022. He further submits that charge-sheet has not been submitted against the petitioner and other co-accused persons under POCSO Act. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Madhepura P.S. Case No.184 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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