

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75157 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- SABAUR District- Bhagalpur

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Sharmila Devi W/O Sanjay Singh R/V- Rattichak, P.S.- Goradih, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is named in the F.I.R. and
apprehended his arrest in connection with Sabour P.S. Case
No.168 of 2022 registered for the offences punishable under
Sections 366-A and 120-B of the Indian Penal Code.

The allegation against the petitioner is to help his son
namely Pappu Kumar, who is alleged to kidnap the minor
daughter of informant for the purpose illicit



intercourse/marriage.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case only for the reason being mother of co-accused, Pappu Kumar, where initiation of implication is based out of failed love affairs, which is not accepted by the parents of the victim. It is submitted that statement of victim as recorded under Section 164 of the Cr.P.C. is neither supporting the allegation of kidnapping nor supporting the allegation of sexual assault. While concluding the argument it is submitted that petitioner is a lady of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication of petitioner appears only being mother of co-accused Pappu Kumar, who is a lady of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 7th-cum-



POCSO Act, Bhagalpur/concerned Court below where the case is pending in connection with Sabour P.S. Case No.168 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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