

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7506 of 2024**

Arising Out of PS. Case No.-376 Year-2023 Thana- GAIGHAT District- Muzaffarpur

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1. Satiya Devi @ Sita Devi, Wife Of Raja Sahni, Resident Of Village- Dhobauli, P.S.- Gaighat, District- Muzaffarpur
  2. Kavita Devi, Wife Of Birju Sahni, Resident Of Village- Dhobauli, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi, Wife Of Shankar Sahni, Resident Of Village- Fakira Dih, P.S.- Gaighat, District- Muzaffarpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      19-02-2024                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Gaighat P.S. Case No. 376 of 2023 registered for the offences punishable under Sections 363, 366(A), 376/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, the son of the petitioner no. 1 kidnapped the daughter of the informant and took her to Darbhanga and forcibly made physical relationship with her.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Petitioner no.1 is mother and petitioner no. 2 is mausi of the co-accused Kundan Kumar with whom the victim girl has



love affairs. Petitioners have no role in the alleged occurrence and only due to close relation with the co-accused Kundan Kumar, their name has been implicated in this case. The victim in her statement recorded under Section 164 Cr.P.C. has not levelled allegation of over act against the petitioners. Both the petitioners are ladies having no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Gaighat P.S. Case No. 376 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Sunil Dutta Mishra, J)**

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