

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26557 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- NAUHATTA District- Saharsa

Nilu Singh @ Nilu Devi W/o Ashutosh Kr. Singh @ Bablu Singh Shahidih,
P.S. Nauhatta, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-09-2024 1. Heard the parties.

2. The petitioner apprehends her arrest in connection with Nauhatta P.S. Case No. 292 of 2023 dated 27.12.2023 registered under Sections 363, 366(A), 34 of the I.P.C. and Sections 8, 12 of the POCSO Act.

3. As per the prosecution story on 25.12.2023 the daughter of the informant was kidnapped by the co-accused / Vishal Kumar Singh for the purpose of marriage. When the informant went to the house of Vishal Kumar Singh, the petitioner said that she was not aware about the whereabouts of the co-accused. Accordingly the allegation is that the petitioner is also having connivance with the co-accused.



4. Learned counsel for the petitioner submits that petitioner has been made accused merely because she happens to be the mother of the co-accused / Vishal Kumar Singh. The girl has been recovered and her statement under Section 164 Cr.P.C. has been recorded in which she has stated that she has performed marriage in a temple with the co-accused / Vishal Kumar Singh and on that basis the co-accused has been given regular bail by this Court in Cr. Misc. 62025 of 2024 by order dated 11.09.2024. The petitioner has got no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made against the petitioner, the fact that she has been made accused in this case as the mother of the co-accused / Vishal Kumar Singh and she has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Judge, POCSO, Saharsa in connection with Nauhatta P.S. Case No. 292 of 2023 subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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