

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35781 of 2024

Arising Out of PS. Case No.-437 Year-2023 Thana- TRIVENIGANJ District- Supaul

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1. Mayavati Devi @ Mayawati Devi Wife Of Late Bholi Mandal Resident Of Village- Sakhua Babhangama, Ps- Triveniganj, Dist- Supaul
 2. Lakshman Kumar @ Laxman Mandal Son Of Late Bholi Mandal Resident Of Village- Sakhua Babhangama, Ps- Triveniganj, Dist- Supaul
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody in connection with POCSO P.S Case No. 106 of 2023, arising out of Triveniganj P.S Case No. 437 of 2023 registered for the offences punishable under Sections 366A/366/34 of the Indian Penal Code and Section 3(1)(r)(w)(i)(ii) of SC/ST (Prevention of Atrocities) Act, 1987 and Section 8/17 of the POCSO Act,

3. As per prosecution case, it is alleged that petitioners along with co-accused have abducted the minor daughter of the informant with intention of marriage.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that one of the co-accused has already granted bail by the trial Court vide order dated 11.07.2024 passed by A.D.J-VI -cum-



Special Judge-POCSO Court, Supaul in which learned counsel has submitted that victim has been recovered and her statement under Sections 161 and 164 of the Cr.P.C have been recorded, where the victim has not supported the case of the prosecution and the victim has not stated anything about the complicity of present petitioners in any sort of criminal or sexual overt act. It is further submitted that petitioners have got no criminal antecedent and they are in judicial custody since 29.10.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Special Judge-Exclusive POCSO Court, Civil Court, Supaul in connection with POCSO P.S Case No. 106 of 2023, arising out of Triveniganj P.S Case No. 437 of 2023.

(Ramesh Chand Malviya, J)

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