

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33206 of 2024

Arising Out of PS. Case No.-701 Year-2023 Thana- AMARPUR District- Banka

Sita Devi WIFE OF PAWAN YADAV VILLAGE- MAJHALA TOLA,
GORGAMA, PS- AMARPUR, DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code read with Section 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and has been falsely implicated in the instant case by the informant.

4. The informant alleges that on 22.10.2023 his minor daughter at around 10:00 AM went outside the house for seeing *Durga Pooja* festivities, but she did not return and after a hectic search, the informant came to know that his daughter has been kidnapped by the accused persons including the petitioner, thereafter, he went to the house of the petitioner for inquiry when he was abused by the petitioner and her husband.



5. The learned counsel for the petitioner submits that the son of the petitioner, Piyush, was in love with the daughter of the informant and they eloped. It is next submitted that the victim has returned and her statement was recorded under Section 161 and 164 Cr.P.C. wherein she has not supported the case of the prosecution. It is next submitted that since petitioner is mother of Piyush, as such, she came to be implicated.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amarpur P.S. Case No. 701 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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