

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39374 of 2024

Arising Out of PS. Case No.-697 Year-2023 Thana- GANDHIMAIDAN District- Patna

Neetu Devi @ Netu Devi Wife of Aditya Kumar R/o village - Laljee Tola,
Gali No.- 1, P.S.- Gandhi Maidan, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Manoj Tiwari Son of Late Nathuni Tiwari Resident of Village - Tarka, P.O.- Balbari, P.S.- Gutni, Dist.- Siwan, at Present Girdhari Ashram Kabiraj Path, Patna near Pirmuhani, P.S.- Pirmuhani, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gandhi Maidan P.S. Case No. 697 of 2023 dated 24.08.2023 registered for the offences punishable u/ss 363, 365, 366A of the Indian Penal Code as well as Section 4 of the POCSO Act.

3. As per the prosecution case, on 10.07.2023 at about 11:30 A.M. the informant's minor daughter went to worship with her mother to Kali Mandir but when she was coming after worshipping, she was found missing in the mob. On being searched she was not traced by her mother. Thereafter, the



informant lodged complaint in Kadamkuan Police Station and said that her daughter was again kidnapped by Vikash@ Mirza. Accordingly, the FIR has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused, Karishma Devi who is the daughter-in-law of the petitioner. It is further submitted that the victim was afraid of her father and in consequence of that she left her house with her own will. There is specific allegation against the co-accused, Vikash@ Mirza and the petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 31.07.2024 passed in Cr. Misc. No. 17259 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is a lady and she is in custody since 14.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Gandhi Maidan P.S. Case No. 697 of 2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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