

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42892 of 2024

Arising Out of PS. Case No.-283 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Tetara Devi @ Tetari Devi W/o Late Haricharan Sah R/o Village- Bhabhua, Ward no. 12, P.S.-Bhabhua, District-Kaimur, Bihar
2. Shakuntala Devi W/o Late Sonu Sah R/o Village- Bhabhua, Ward no. 12, P.S.-Bhabhua, District-Kaimur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Avinash Kumar Pandey S/o Late Ashok Kumar Pandey R/o Ward no.12, P.S.-Bhabhua, District-Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Ms. Diksha Kumari, Adv. Mr.Kumar Rajdeep, Adv. Mr. Arvind Kumar, Adv.
For the informant		Mr. Lakshmi Kant Tiwari, Adv.
For the Opposite Party/s :		Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhabhua P.S. Case No. 283 of 2024 dated 17.04.2024 registered for the offences punishable u/ss 363, 368, 370, 376, 511 read with Section 34 of the Indian Penal Code and Sections 4 and 8 of the POCSO Act.

3. As per the prosecution case, when the informant informed Bhabua Police Station about missing of his daughter



and when he returned to home, his neighbour expressed the possibility of his daughter being in the house of the petitioner Tetari Devi. When the informant and others tried to enter the house of the petitioner Tetari Devi and his daughter was found in an unconscious state, hidden in a basket under the bed of the room of Sonu and Sushila. The informant apprehends that the accused persons kidnapped his minor daughter and kept her hidden to sell her.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioner no. 1 is the mother-in-law of the petitioner no. 2 and they have no concern with the alleged offence. Learned counsel has further submitted that the petitioners have living separately from the rented house from which the victim girl was recovered. One Sonu and Sushila live with their parents as tenants in the rented house of the petitioners. The petitioners have no concern with the alleged offence. The petitioner no.1 has two criminal antecedent whereas the petitioner no. 2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 18.04.2024.

5. Learned A.P.P. for the State and learned counsel for



the informant have opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhabua at Kaimur in connection with Bhabua P.S. Case No. 283 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

