

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44814 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- WAJIRGANJ District- Gaya

Guddi Devi Wife of Shailesh Singh R/O Vill.- Badaua, P.S.- Fatehpur, Dist.-
Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X Son of Arun Kumar R/O Vill.- Bajaul at Present K.P. Colony, High School, P.S.- Wazirganj, Dist.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sinha, Adv.
For the State	:	Mr. Mukesh Kumar Singh, APP
For the Informant	:	Mr. Prithivi Raj Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 18-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Wazirganj P.S. Case No. 58/2022 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, petitioner and others are said to have kidnapped the informant's daughter and hide her in different places.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that the petitioner is mother of



co-accused Pawan Kumar who is alleged to have kidnapped the informant's daughter. Except suspicion, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. During course of investigation, the statement of victim was recorded under Section 164 of Cr.P.C. in which she has flatly denied the allegation levelled against the petitioner by the informant rather she has stated that she visited Delhi with co-accused Pawan Kumar. The statement of victim does not indicate that there was any kind of inducement on the part of the petitioner. The petitioner has nothing to do with the alleged occurrence. The petitioner being a lady, has falsely implicated in this case just because she is the mother of co-accused, Pawan Kumar. He further submits that the petitioner has already faced one criminal antecedent by the same informant in which she is on bail.

5. The learned counsel for the informant as well as A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, petitioner being a lady, statement of victim recorded under Section 164 Cr.P.C. in which she has denied the allegation made against the petitioner, argument advanced on behalf of both



sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO) cum Additional District and Sessions Judge-VI, Gaya in connection with Wazirganj P.S. Case No. 58/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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