

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52926 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- KADWA District- Katihar

Jhiriya Devi @ Jira Devi Wife of Bokai Bishwas R/O Vill.- Bharee, P.S.-
Kadwa, Dist.- Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Md. Jubair S/o Late Muddin Resident of Village-Parmeli, P.S.-Kudwa,
District-Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 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 Kadwa P.S. Case No. 99 of 2023 dated 18.05.2023 registered for the offences punishable u/ss 363, 364, 366, 366A, 120B of the Indian Penal Code and section 3/4 of the POCSO Act.

3. As per the prosecution case, the co-accused persons and two unknown persons are alleged to have kidnapped the minor daughter of the informant.

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 statement of the victim recorded u/s 164 of the Cr.P.C. The petitioner is a lady. The allegation against the petitioner is of getting the victim married to the co-accused Tinku. There is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. Similarly situated co-accused has already been granted bail by this court *vide* order dated 07.05.2024 passed in Cr. Misc. No. 32672 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2024.

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, Katihar in connection with Kadwa P.S. Case No. 99 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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