

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54401 of 2024

Arising Out of PS. Case No.-818 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

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Asha Devi Wife of Rajendra Prasad Yadav R/o Village- Saraiya, P.S.-
Piprakothi, Dist.- East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Kumar Prasad, Adv.
For the State : Mr. Ganesh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 09-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending her arrest in
connection with Motihari Muffasil P.S. Case No. 818 of 2023,
instituted for the offences under Sections 363, 366(A), 34 of the
Indian Penal Code and Section 8 of the POCSO Act.

3. It is alleged that in the night of 01-11-2023, the
accused persons came at the door of the informant and on call,
while informant's minor daughter came out, the accused persons



kidnapped her for the purpose of marriage.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is general and omnibus allegation levelled against the petitioner and no specific overt act alleged against her. He further submitted that on similar footing co-accused namely, Rajendra Prasad Yadav has been granted regular bail vide order dated 03.09.2024 passed in Cr. Misc. No. 32055 of 2024 by this Court. Moreover, the petitioner is a person of clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances as also the fact that the other co-accused person has already been granted bail, let the petitioner, above named, in the event of arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Motihari Muffasil P.S. Case No. 818 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey, J)

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