

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64323 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- RIGA District- Sitamarhi

BAVITRI DEVI @ URMILA DEVI wife of Saheb Ray Village- Ashogi Ps-
Riga Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 5 19-06-2024 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under section 366A of the Indian Penal Code and section 4 of the POCSO Act.
3. As per the prosecution case, petitioner and her son Kishan Rai kidnapped minor sister of the informant.
4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and she has falsely been implicated in this case on the basis of suspicion. Petitioner happens to be mother of said main co-accused Kishan Rai. Occurrence took place at night, as such, there is no eye witness of the occurrence. Petitioner claims clean antecedent.
5. Considering the fact that the petitioner is a lady having no criminal antecedent and save and except suspicion, there is no other direct or indirect evidence against the petitioner to show her complicity in the occurrence, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI cum Special Judge, POCSO Act, Sitamarhi in Riga Police Station Case No. 39 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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