

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55997 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- MEHANDIGANJ District- Patna

Sunita Devi W/O Kamlesh Kumar Kamal R/O Village - Haridabh Bigha, P.S.
- Khusrupur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Kumari
For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 363, 365 of the Indian Penal Code and Section 376 IPC and Section 5 and 6 of the POCSO Act was further added.

3. As per allegation in the FIR, 13 years old minor daughter of the informant did not return from her school thereafter a search was made by her family members. Informant has apprehension that some unknown person has enticed her daughter away for unlawful purpose.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. FIR is against unknown. Petitioner is a lady and wife of the main accused against whom she has made direct allegation of committing wrong with her. There is unexplained delay of three days in lodging the FIR. Petitioner is languishing in judicial custody since 19.09.2022.

5. Learned APP appearing for the State has opposed the prayer of Bail and submitted that statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that petitioner had taken away to her home by saying lie that her father met with an accident. Husband of the petitioner ravished the victim girl several times at night and petitioner was well known to this fact. After about a week, petitioner dropped her near her school.

6. Having heard learned counsel for the parties and considering the period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction



of the learned Additional District and Sessions Judge VII-
cum-Exclusive Spl. Court (POCSO Act), Patna in
connection with Mehadiganj P.S. Case No. 141 of 2022.

(Sunil Kumar Panwar, J)

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