

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78242 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- PIPRA District- East Champaran

TAREGANI DEVI W/O MOKHTAR RAI@MOKHTAR YADAV R/O
BHERKHIYA, PS-PIPRA, DISTRICT-EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2024 Heard the parties.

2. The petitioner is apprehending her arrest in connection with Pipra P.S. Case No. 224 of 2023 for the offence under Sections 366(A) and 363 of the I.P.C. and Section 8 of the POCSO Act, lodged on 21.07.2023 by the informant, Rekha Devi.

3. As per the prosecution story, the victim used to talk with the son of the petitioner and the informant has alleged that she played a role in her disappearance with the sole purpose of getting her married with the petitioner's son. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only because her son was in love with the informant's daughter, both eloped, she has been dragged in this case.



5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also that the petitioner is a lady, do not have criminal antecedent and will be cooperating in the investigation, this Court is inclined to extend her the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 7th Additional Session Judge cum special judge POCSO Act, Motihari in connection with Pipra P.S. Case No. 224 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of her bail bonds.

8. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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