

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1099 of 2024

Arising Out of PS. Case No.-16 Year-2023 Thana- CHORAUT District- Sitamarhi

Lalita Devi WIFE OF BILTU MANDAL RESIDENT OF VILLAGE- BARRI
BEHTA, PS- CHORAUT, DISTT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Choraut P.S. Case no.16 of 2023 registered under sections 363, 365 and 366A of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that her daughter who had gone to attend the coaching class did not return. In spite of the search she was not to be found. It subsequently transpired that six accused persons including the petitioner herein had taken her away and may have got her involved in prostitution.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only on the basis of suspicion. The FIR was registered after a delay of 23 days. There is no eye witness to the occurrence nor any



material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner who is a lady is in custody since 1.5.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State who submits that the daughter of the informant has still not been recovered.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner being named therein and the daughter of the informant not having been recovered, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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