

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24770 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- NARAINPUR District- Bhojpur

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Sheela Devi, Female, aged about 50 years, W/O- Bade Lal, R/O Vill-
Shakaldiha, P.S.- Shakaldiha, District- Bhojpur, Bihar- 802301

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Narayanpur P.S. Case No. 55 of 2024 dated 16.07.2024 registered for the offences punishable under Section 140(3) of B.N.S., 2023 in which charge sheet has been submitted under Section 140(3) of B.N.S., 2023 and Sections 4, 6 and 12 of the POCSO Act.

3. As per the prosecution case, on 29.06.2024 at about 1.00 P.M., the informant's minor daughter, namely, Putul Kumari, aged about 16 years, left her house and did not return. The informant tried to find her everywhere and asked about her with everybody, including her relatives, but no information



about her whereabouts was received. It is further alleged that the informant has a wheatish complexion, height about 5', black hair, red coloured frock and yellow sandals. She is not mentally stable.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. and her name has surfaced in the present case during the course of investigation. The petitioner is the maid of the victim's Bua and she has no role in the alleged offence. The victim had love affair with one Bunty and she had accompanied her Bua to Ghazipur to meet her lover and the police recovered her from her Bua's house and the petitioner being her maid was framed by police in the present case. It is further submitted that the victim under the pressure of her parents and police, had falsely implicated her Bua and the petitioner that they had sold her in the flesh trade. The petitioner has no concern with the alleged offence. The specific allegation is against the victim's Bua, namely, Janki Devi and Bunty but the petitioner being a poor lady has falsely been implicated in the present case by police and the parents of the victim and their main motive is to seek vengeance from the Bua and the petitioner being her maid, has been made the



scapegoat in this case. The informant is not an eye witness to the alleged offence and the entire case is based on conjectures and surmises. There is no independent witnesses in this case and all the witnesses are the relatives of the victim and her parents. It is further submitted that as per the statement of the witnesses mentioned in paragraph nos. 3 and 6 of the case diary, nowhere it is stated that the victim is mentally unstable as alleged by the informant in the F.I.R., on the contrary as per the statements made in the case diary, it seems that the victim has temperamental issues. It is further submitted that as per medical report of the victim, her age has been assessed between 17-19 years. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 30.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional District Judge-cum-Special Court, POCSO, Bhojpur at Ara in



connection with Narayanpur P.S. Case No. 55 of 2024 with further conditions:-

- (I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.
- II. If the petitioner is found in similar nature offence in future, her bail bond is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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