

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1606 of 2025

Arising Out of PS. Case No.-242 Year-2020 Thana- MADANPUR District- Aurangabad

Nargish Devi W/o Nand Kishore Ram @ Nand Kishore R/o Mohalla- Baulia
Road Ward No.35 Near Durga Mandir Besides of Pani Tanki, P.S.- Noorganj,
District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari R/O- Vill- Vajitpur, P.O- War, P.S- Madanpur, Dist-
Aurangabad
3. Anni Kumari R/O- Vill- Vajitpur, P.O- War, P.S- Madanpur, Dist-
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Kant, Advocate
For the Opposite Party/s	:	Mr. Rajesh Kumar, APP
For the Informant	:	Mr. Santosh Kumar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 08-05-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. Petitioner is in custody in a case registered for the
offence under Section 366(A), 504, 34 of Indian Penal Code.

3. As per the prosecution case, on 20.11.2019 the
complainant went in gram selling to Aurangabad and when he
returned in the evening then he found that both the victim minor
girls were not present at home after sometime, he got some
knowledge that about five accused persons came to his house
and taken away the victim girls for immoral trafficking and kept
them at some unknown place. It is also alleged that complainant
suspected his sister and his cousins because they are involved in
dirty immoral practices.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that during the investigation both the victim girls were recovered and they have also gave their statement recorded under Section 164 Cr.P.C. in which the minor girl, namely, Rubi Kumari has stated that she and her sister are living with her bua(present petitioner) since two years and there is no specific allegation against the petitioner and another victim minor girl, namely, Anni Kumari has stated that some persons, namely, Reeta, Sita, Nandkishore and Madan Nut came and taken away her and her sister and pressurize them to dance and they also use to threat the victim girls. He next submits that petitioner is in custody since 09.12.2024 and she is a lady who is aged about 57 years old as state in the bail petition. He petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State as well as learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that petitioner is close relative of the informant and she is involved in the alleged occurrence.

6. From perusal of the First Information Report, case diary and impugned order dated 10.12.2024, it appears that both



the victims has stated in their statement recorded under Section 164 of Cr.P.C. that both the victim girls were living with the present petitioner, who is happens to be her *bua* since two years and specific allegation is levelled against other accused persons of dancing and threatening to kill but there is no specific allegation against the present petitioner. So, considering the aforesaid facts and circumstances of the case, submission of learned counsel for the petitioner as well as the fact that there is no specific allegation against the present petitioner and also the fact that petitioner has got no criminal antecedent as stated in para-3 of the bail petition, let the above named petitioner be released on bail, on her furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Exclusive Judge, (POCSO) Civil Court, Aurangabad, in connection with POCSO GR Case No.146 of 2024 arising out of Madanpur P.S. Case No.242 of 2020, Aurangabad.

(Ramesh Chand Malviya, J)

Harshita/-

U		T	
---	--	---	--

