

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47800 of 2015

Arising Out of PS.Case No. -301 Year- 2015 Thana -BARH District- PATNA

Punam Devi wife of Sri Pappu Prasad Resident of Village Masud Bigha
P.S. Barh District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner as well as
learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barh P.S.
Case No. 301/2015 registered for the offences punishable under
Sections 376(D), 102(B)/34 of the Indian Penal Code and 4, 5, 6
of the Immoral Traffic Prevention Act.

The allegation against the petitioner is that she
purchased the informant and thereafter the husband of the
petitioner at the instigation of the petitioner committed rape and
again one unknown also committed rape with her at the instigation
of the petitioner.

Submission is of false implication and that from bare
perusal of fardbeyan it reveals that the informant has lodged this
case with oblique motive, the story as alleged appears not reliable

and probable and the petitioner is suffering in custody since 28.07.2015, no medical test has been conducted and the informant is mother of three children.

Learned A.P.P. opposes the prayer of bail but fairly submits that the informant is a lady having three children.

In the facts and circumstances stated above, considering that the informant appeared at police station herself, as submitted no medical test was done and further considering the gender of the petitioner, she is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 301/2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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