

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53045 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -MAHILA P.S. District- SARAN

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1. Nisha Devi, wife of Sonu Singh, resident of Village- Utari Dahiyawa
Tola, P.S.- Chapra Town, District- Saran Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP 222

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-12-2016 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 376 of the Indian Penal Code and 3 and 4
of the Protection of Children from Sexual Offences Act.

The allegation of commission of rape is against
husband of the petitioner. It is disclosed in the first information
report that when this petitioner protested against the act of her
husband she was assaulted and the rape was committed against the
informant.

Considering the aforesaid fact that there is no
allegation against the petitioner, the petitioner, above named, in
the event of her arrest or surrender, within four weeks from the
date of receipt of this order, be released on anticipatory bail on
furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each
with two sureties of the like amount each in connection with
Mahila P.S. Case No. 36 of 2016 to the satisfaction of the
Additional Sessions Judge-cum-Special Court, POCSO Act, Saran
at Chapra, or successor Court, subject to the condition laid down
under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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